



L A N D M A R K S
P R E S E R V A T I O N
C O M M I S S I O N

S T A F F R E P O R T

FOR COMMISSION ACTION
MARCH 30, 2023

0 Center Street – Civic Center Park

Structural Alteration Permit #LMSAP2023-001 to install a Turtle Island Monument at the Civic Center Park Fountain, located on a City Landmark property within the Civic Center Historic District.

I. Application Basics

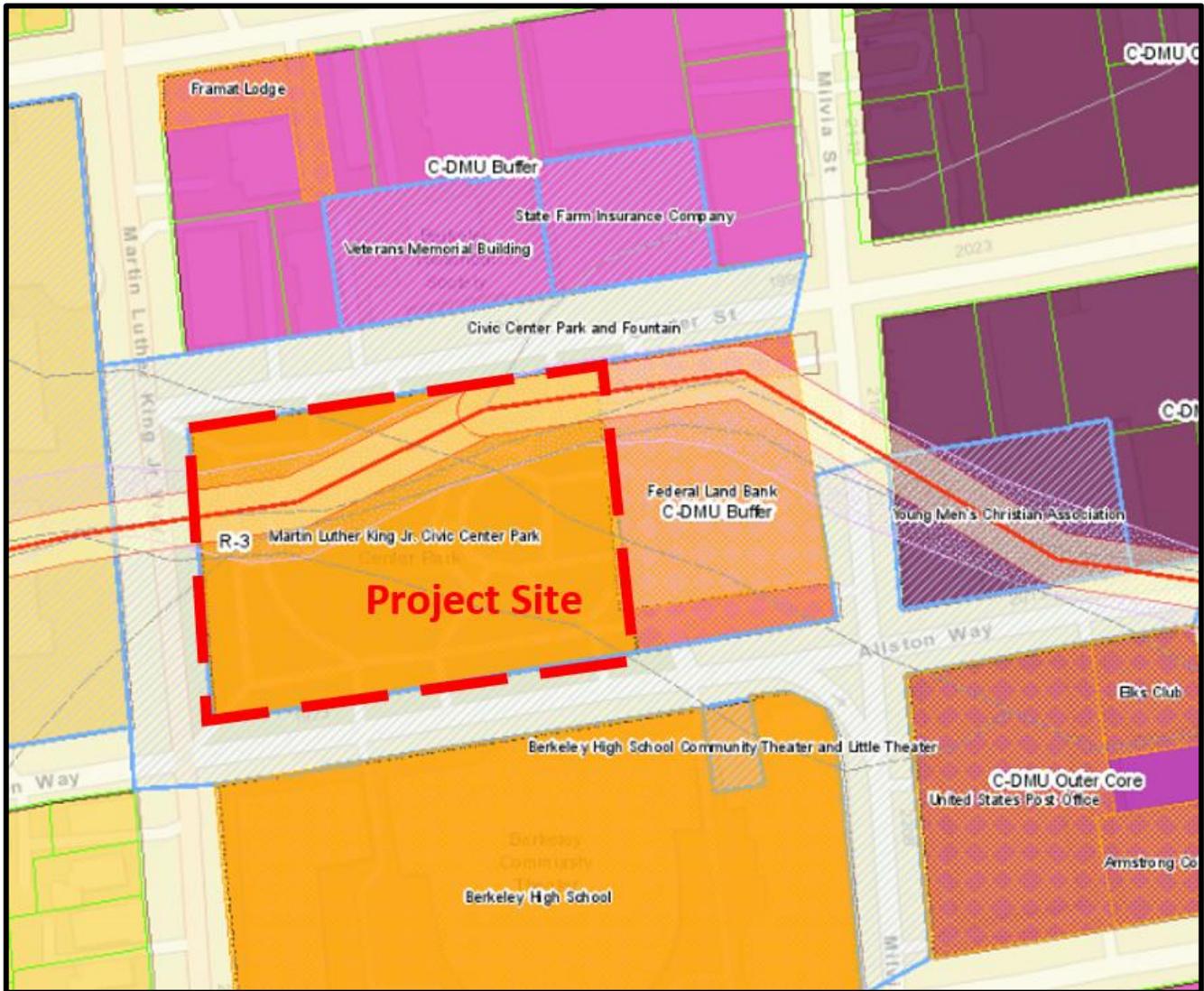
A. CEQA Determination: The project is categorically exempt from further environmental review pursuant to CEQA Guidelines Section 15301 for Class 1/Existing Facilities and Section 15302 for Class 2/Replacement & Restoration. Further, the project is not found to represent any exception to the exemptions according CEQA Guidelines Section 15300.2.

B. Parties Involved:

- Owner: City of Berkeley
2180 Milvia Street
Berkeley, CA
- Applicant: Evelyn Chan, P.E., Project Contact
City Civil Engineer
Parks, Recreation & Waterfront Department (PRW)
1947 Center Street, 4th Floor
Berkeley, CA
- Evaluator: Rincon Consultants, Inc.
449 15th Street, Suite 303
Oakland, CA

C. Recommendation: Hold and conclude the hearing; take favorable action.

Figure 1: Vicinity Map highlighting nearby City Landmark sites.



Landmarks / Structure of Merit; LM,	Parcels
Features	Demolished
Districts	Partially Demolished

Figure 2: Aerial Photograph of Civic Center Park (City Archive, 2020)



Figure 3: Civic Center Park Fountain (City Archive, 2022)



Figure 4: Civic Center Park – historic photograph from 1947 (Berkeley Historical Society)

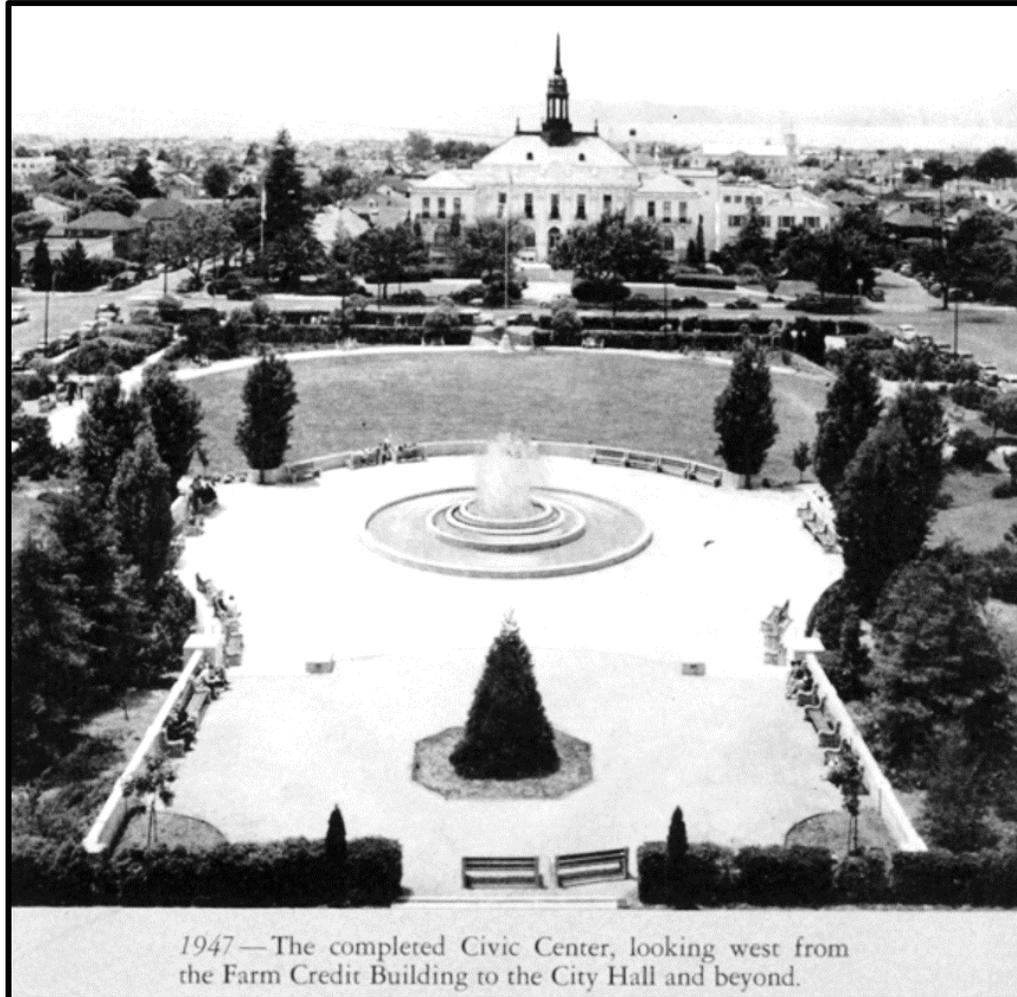
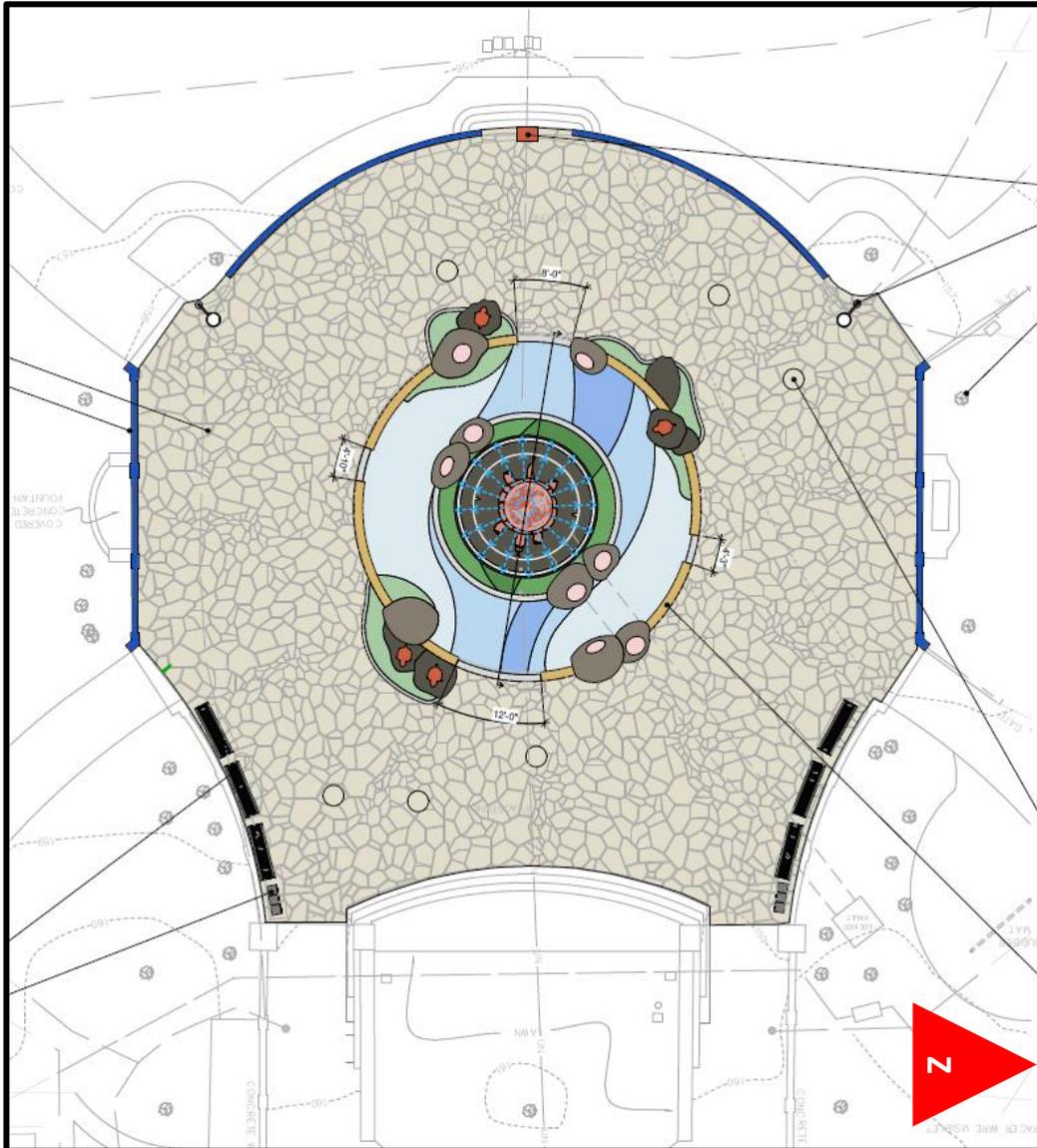


Figure 5: Turtle Island Monument Conceptual Design (excerpt from Project Plans; Attachment 2)



II. Background

Brief History of the Property

The subject property is a 2.8-acre parcel that occupies nearly an entire City block in the Downtown Civic Center neighborhood. It is bounded by Center Street on the north, Milvia Street and the currently City Hall Building on the east, Allston Way on the south and Martin Luther King Jr. Way on the west. The site is a municipal park that is a large and fairly flat open space with a vast lawn area on its western half and two open terraces on the eastern half: one terrace features a non-operable fountain and the other a great conifer tree. Both terraces are flanked by groves of mature trees. See Figure 2, above.

The City completed construction of Civic Center Park in 1942. The Park's design was a collaboration between multiple figures from Berkeley's architecture community, including Bernard Maybeck, Julia Morgan, Henry Gutterson and John Gregg.

In 1997, the Landmarks Preservation Commission (LPC) added the Civic Center Historic District to the local register, included Civic Center Park and designed it as an individual City of Berkeley Landmark site. The petitioners described the Park's design significance as a reflection of the City Beautiful Movement, and cited its associations with the esteemed designers as well as the federal Works Progress Administration. The Park was later re-named Martin Luther King Jr. Civic Center Park.

The character-defining features of the historic Park include:

- Setting within a single City block, adjacent to or confirming period structures: Veterans' Memorial Building (north), Farm Credit Building (on site/east), Community Theater (south), and old City Hall (west).
- Flat topography, symmetrical plan and spatial organization consisting of four primary components: a tree terrace, fountain terrace, circular lawn and western esplanade
- Many extant trees
- Pathways throughout, including wider paths within and narrower at the perimeter
- Original furnishings – including the flagpole (relocated in 2006), benches and string lights
- Streamline Moderne Fountain, designed by Henry Gutterson

Civic Center Fountain

The subject architectural fountain is an example of the Streamline Moderne style. It is composed of four, concentric cement rings. The largest, outermost rim wall is approximately 50 ft. in diameter. The two central cascades feature walls of approximately 4 feet and 3 feet in height that are topped with curved lips. The rim wall of third cascade is just under 2 ft. tall, and the lowest outer wall (of just 1'-1" in height) encloses the fountain's reflecting pool.

Due to an equipment failure in the 1960s, the fountain was drained and has not been repaired. The innermost, central cascade is currently sealed. The fountain's simplified architectural elements, original cement material and circular form are intact. See Figure 3, above.

Brief History of the Turtle Island Monument

In the early 1990s, the City of Berkeley established a Resistance 500 Task Force to examine how the City of Berkeley might work with the Indigenous community and align with the guiding principles and commitments that were born of international/intertribal Quincentenary gatherings. In 1992, the City Council took steps toward recognizing the history and present existence of the Indigenous community, including dedicating the Civic Center Park Fountain as the location for a Turtle Island Monument.

The original Turtle Island Monument (TIM) concept design by Lee Sprague was the basis of City Council's 1992 decision. A subsequent design by a different artist that featured sea turtle sculptures was presented to LPC in 2002 as part of the Commission's consideration of the Civic Center Park Master Plan Environmental Impact report. Although that design was not realized, the City commissioned artist Scott Parsons to create the bronze turtles featured in the design; the sculptures were completed and are currently on display in the lobby of City Hall. Parson also guided the development of commemorative tribal medallions-

As recently at 2018, City Council directed the Parks, Recreation and Waterfront staff to proceed with installation of a TIM in the Civic Center Park Fountain and to work closely with the Indigenous community and original designer Sprague in this effort.

Structural Alteration Permit Application Chronology

At the December 1, 2022 LPC meeting, the Commission received a presentation from the project applicant and TIM designers, and then provided comments on a previous iteration of the current conceptual design. The Commission's comments and direction included the following themes:

- Restore the fountain or, at a minimum, retain a water element
- General concern with the proposal to remove historic materials
- Align with Secretary of the Interior's Standards for Treatment of Historic Properties

Twelve members of the public addressed the Commission during Public Comment for this agenda item. Speakers included members of Community for a Cultural Civic Center, a group that also provided written comments. This group has developed an alternative monument design for the fountain that they believe is the result of an inclusive process. However, City Council has not directed staff to consider their monument design and the Commission has not received a Structural Alteration Permit application from this group.

On December 7, 2022, the Civic Arts Commission studied the same Turtle Island Monument design concept and endorsed it subject to a final review prior to execution; Vote: 8-0-0-1.

On February 15, 2023, the applicant submitted the subject Structural Alteration Permit (SAP) application in accordance with Berkeley Municipal Code (BMC) Chapter 3.24.200. The SAP application proposes a TIM conceptual design that is similar to the concept presented to LPC in December 2022, but the current concept includes revisions in response to the Commission's feedback.

On or before March 20, staff mailed and posted advance notices of tonight's hearing as required under BMC Chapter 3.24.230.

III. Historic Status

The Civic Center Park is both an individual City Landmark site (1997) and a contributing site to the Civic Center Historic District. Other contributing properties in the District include: old City Hall (2134 M L King Jr. Way; 1908), City Hall Annex (1835 Allston Way; 1925), Veterans Memorial Building (1931 Center Street; 1928), Farm Credit Bank Building (2180 Milvia Street; 1938), Community Theater Building (1930 Allston Way; 1937/1940), YMCA Building (2001 Allston Way; 1910), U. S. Post Office (2000 Allston Way; 1914), and State Farm Insurance Building (1937 Center Street; 1947).

The Civic Center Historic District is listed on the National Register of Historic Places (1998) and, thereby, is also listed on the California Register of Historical Resources.

IV. Project Description

Upon City Council's direction, staff from the Parks, Recreation and Waterfront Department have proposed to install a Turtle Island Monument (TIM) on the Streamline Moderne Fountain in Civic Center Park. The proposed project is both a revitalization effort for the Fountain Terrace and new public art installation.

The proposed scope of work would require the removal of the central fountain cascade and segments of the outermost rim wall, and the conversion of the third fountain cascade into a planting bed and the reflecting pool into a walking surface. New areas of planting, art elements and materials of various finishes and colors would be introduced. The Applicant Statement is provided as Attachment 3 of this report, and a summary of the proposed scope of improvements is outlined in Table 1, below.

Table 1. Summary of Proposed Scope for Work for Turtle Island Monument Installation

Existing Feature		Proposed Turtle Island Monument Improvements
Streamline Moderne Fountain	First Cascade	<ul style="list-style-type: none"> • Eliminate & insert new black granite pedestal • Install central turtle sculpture art piece on new pedestal • Include new water feature
	Second Cascade	<ul style="list-style-type: none"> • Retain as is, including form and function
	Third Cascade	<ul style="list-style-type: none"> • Retain cement rim wall • Convert reservoir to planting bed & install low plantings • Include concealed water collection element • Install natural finish boulders with inset tribal medallion art work
	Reflecting Pool	<ul style="list-style-type: none"> • Convert pool to walking surface with glass concrete in shades of blue • Retain most of cement rim wall & add wooden ledge to create new seating • Remove four segments of cement rim wall & finish the exposed portions with mosaic tiles • Selectively place & install natural finish boulders, some with bronze turtle sculptures or tribal medallion art work • Install new areas of low plantings on grade
Flagstone Terrace		<ul style="list-style-type: none"> • Install symbolic blank medallions to match flagstone • Selectively place & install natural finish boulders, some topped with bronze turtle sculptures • Install new areas of low plantings on grade with curbed edge
Original Cement Frame Benches with wood slats		<ul style="list-style-type: none"> • Retain and repair as needed

The Turtle Island origin story is common to many Indigenous communities and is the basis for the conceptual design of the proposed monument for the Civic Center Park Fountain. The turtle and its orientation, the island context and its surrounding waters are all central to this cultural narrative, and each of these elements is represented in the commemorative concept design.

The proposed plans for the Turtle Island Monument installation are included as Attachment 2, and the historic resource evaluation and project impact analysis for the Civic Center Park is included as Attachment 4.

V. Issues and Analysis

Staff has identified the following relevant criteria pertinent to this project from the Secretary of the Interior’s Standards for the Treatment of Historic Properties (1977) and the Landmarks Preservation Ordinance (BMC Section 3.24).

A. The Secretary of the Interior's Standards for Rehabilitation

The Secretary of the Interior's (SOI) Standards for the Treatment of Historic Properties defines *Rehabilitation* as “the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.” The analysis below summarizes staff’s findings for this project with respect to the most relevant SOI Standards.

SOI Standard 1

A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

Analysis SOI-1: The Civic Center Park site is currently and has historically been used exclusively as a municipal park for recreation and public gatherings. This project would not change the use of the Park or its open spaces and spatial organization.

SOI Standard 2

The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

SOI Standard 5

Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

Analysis SOI-2 & 5: The applicant proposes the removal of components of the Civic Center Park Fountain, including the central cascade and segments of the outermost enclosing wall – both of which are made of the original cement forms. Their removal will adversely affect the design and integrity of the fountain but may not diminish the historical significance and importance of the Park as a whole, which would retain all of its other character-defining features, landscape design and original elements, and would continue to embody the identity of a Work Progress Administrative-era infrastructure project.

For this reason, staff and the City’s consultant conclude that that project would align with SOI Standards 2 and 5 where it avoids the wholesome removal of distinctive materials and spatial relationships and characterize the Park site.

Similarly, this assessment is applicable to the Civic Center Historic District, which would not be substantially impacted by the proposed changes within the Park. The Civic Center Park is a contributing feature to the greater District where the remaining properties are not affected by this proposal.

SOI Standard 9

New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

Analysis SOI-9: The installation of the Turtle Island Monument will introduce new art elements and materials of various finishes and colors to the fountain. In some instances, these new features would remove parts of the historic fountain, as discussed previously in the analysis of SOI Standards 2 and 5. The proposed granite pedestal, sculpted figures, natural boulders and casted metal and inlaid tribal medallions would be visually and chronologically discernable against the cement materials of the fountain and its historic period. Owing to their organic composition, the new items would be compatible with the natural setting of the Park. Their proposed size and placements are found to be compatible as well, where these decorative features, on-grade improvements and low plantings would not be out of scale with the extant fountain. Within the Park's setting, these improvements would not destroy spatial relationships of the historic landscape design or impair the integrity of the Civic Center. Given these qualities, the proposed project would be consistent with this SOI Standard.

SOI Standards 10

New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Analysis SOI-10: The proposed improvements are limited to the fountain and the Fountain Terrace, which is a roughly 1,000-sq. ft. area of the nearly 3-acre Park. Because they are limited in their scope and scale, neither the alterations nor their removal in the future would be expected to have a permanent or irrevocable impact on the site or its historic integrity.

Although the Streamline Moderne design of the historic fountain would be altered in such a manner that it may no longer exhibit its simplified characteristic traits, the landscape design and important associations of the Park would remain largely unaffected by the proposed alterations and, therefore, the project aligns with this SOI Standard.

B. Landmarks Preservation Ordinance (LPO) Review Standards and Criteria

In order to approve a request for a SAP, the Commission must find that the proposal would not adversely affect the features or special character of the subject structure or property. An analysis of the project with respect to the required findings of LPO is outlined below.

BMC Section 3.24.260, Paragraph C.1

“For applications relating to landmark sites, the proposed work shall not adversely affect the exterior architectural features of the landmark and, where specified in the designation for a publicly owned landmark, its major interior architectural features...”

Analysis: As explained in the analysis of the SOI Standards, the anticipated effects of this project are limited to the historic Civic Center Park Fountain, one of the character-defining features of the Park. The affects will be considerable and would impair the architectural identity of this Streamline Moderne element within the WPA-era public park. However, because the scope is limited in this way, the project would not have a wholesale detrimental impact on the historic landscape and therefore, is found to be permissible under these circumstances.

The design of the proposed, new installation is the result of several years and iterations of planning and consultation with the Indigenous community. The proposed decorative features, hardscape and planting elements are unlike the historic structure and are not intended to replicate the style of the WPA-era fountain. The Turtle Island Monument would give the Fountain Terrace area of the Park a new, post-colonial identity and commemorate the lasting impact of the First Continental Conference on the 500 Years of Native American Resistance. The Commission may consider how or whether these new associations would adversely affect the architectural features of this City Landmarks site.

“For applications relating to property in historic districts, the proposed work shall not adversely affect the exterior architectural features of the subject property or the relationship and congruity between the subject structure or feature and its neighboring structure and surroundings...”

Analysis: The open plan of the Park as it relates to the surrounding properties in the Civic Center Historic District would be unaffected by the proposed Turtle Island Monument. If approved, the work would occur at the center of the Park site, which is not adjacent to the abutting Historic District properties. The overall plan and setting of the Park would remain, and its relationship to the District would be unchanged.

In conclusion, staff finds that the Applicant’s proposal for the Civic Center Park Turtle Island Monument concept design would not result in significant or irrevocable adverse effects for this historic resource and recommends that the LPC make favorable findings for its approval as summarized in Attachment 1.

VI. Recommendation

Staff recommends approval of this request for a Structural Alteration Permit pursuant to Section 3.24.260 and subject to the attached findings and conditions because the proposed project would:

- 1) Preserve the character of the Park's landscape and relationship to the Civic Center Historic District; and
- 2) Adhere to the standards of the Landmarks Preservation Ordinance for exterior alterations to designated Landmark sites and properties with Districts.

Attachments:

1. Recommended Structural Alteration Permit Findings and Conditions of Approval
2. Project plans, received February 15, 2023
3. Applicant Statement, received February 15, 2023
4. Project Impact Analysis, prepared by Rincon Consultants, Inc., dated February 15, 2023
5. [Notice of Decision, Landmark designation of Civic Center Park, 1997](#)

Prepared by: Fatema Crane, Senior Planner; fcrane@cityofberkeley.info ; 510-981-7413

PRW Project Contact: Evelyn Chan, Civil Engineer; echan@cityofberkeley.info; 510-981-6700

DRAFT FINDINGS AND CONDITIONS

0 Center Street

Structural Alteration Permit #LMSAP2023-001 to install a Turtle Island Monument at the Civic Center Park Fountain, located on a City Landmark property within the Civic Center Historic District.

FINDINGS REQUIRED UNDER CEQA

1. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code §21000, et seq. and California Code of Regulations, §15000, et seq.) pursuant to Section 15301, CE Class 1 of the CEQA Guidelines (“Existing Facilities”) and Section 15302, CE Class 2 (“Replacement or Reconstruction”). Furthermore, none of the exceptions in CEQA Guidelines Section 15300.2 apply, as follows: (a) the site is not located in an environmentally sensitive area; (b) there are no cumulative impacts; (c) there are no significant effects; (d) the project is not located near a scenic highway; (e) the project site is not located on a hazardous waste site pursuant to Government Code Section 65962.5; and (f) the project will not cause substantial adverse change in the significance of Civic Center Park, a resource included in the City of Berkeley’s register of historical resources and located in within a National Register Historic District.

FINDINGS RELATED TO THE SECRETARY OF THE INTERIOR’S STANDARDS

Regarding the Secretary of the Interior’s Standards (SOI) for Rehabilitation, the Landmarks Preservation Commission of the City of Berkeley makes the following findings:

1. The proposed project does not require a change of use to the property, which is and will remain a municipal park.
2. The proposed removal of historical materials from the Streamline Moderne fountain and the installation of new elements to create the Turtle Island Monument are expected to alter the fountain in a manner that will not preserve its distinctive character and original design. These actions are not consistent with SOI Standards 2 and 5, which require retention of character, materials features, finishes and production techniques. However, the proposed alterations are limited to only one of the Civic Center Park’s character-defining features and will not affect any others, thereby avoiding wholesale alteration of the Park.
3. The proposed Turtle Island Monument will not resemble or replicate designs from the Park’s historic period. These new features are contemporary and will not result in a false sense of historical development.
4. The subject property does not feature changes that have acquired significance in their own right.

5. As described previous under analysis of SOI Standard 2, above, the features of Civic Center Park will be substantially retained and preserved with this limited-scope project that effects the fountain only.
6. As conditioned herein, if deteriorated historic features will be affected by this request, then they would be repaired or replaced to match the materials, design, and finishes of the original items.
7. Standard conditions of Structural Alteration Permit approval would require any chemical or physical treatments to be undertaken using the gentlest means possible. However, the applicant has not proposed chemical or physical treatments. However,
8. As conditioned herein, actions to preserve and protect unexpected discoveries during project construction are required. Nevertheless, the project does not have the potential to affect any archaeological resources because the applicant proposes no excavation.
9. The proposed new work is designed with new and differentiated elements and forms, and introduces new materials that are not currently or historically present in this area of the Park. Owing to these aspects, new work will be sufficiently differentiated from the historic design.
10. If the proposed improvements were removed in the future, they would not permanently impair the integrity or essential form of the Civic Center Park.

FINDINGS REQUIRED UNDER LANDMARKS PRESERVATION ORDINANCE

1. As required by Section 3.24.260 of the Landmarks Preservation Ordinance, the Commission finds that the proposed work is appropriate for and consistent with the purposes of the Ordinance, and will preserve the characteristics and features specified in the designation for this property. Specifically:
 - A. The proposal to substantially alter the design of the Streamline Moderne Fountain in Civic Center Park will not adversely affect the architectural design of the City Landmark Park because the site would retain all of its other character-defining features, including: setting, topography and spatial organization with four primary segments (tree and fountain terraces, circular lawn and western esplanade), mature trees, system of pathways, and original furnishings. With these features intact, the Park will retain its use, identify and form as well as its historical integrity.
 - B. The special character of the subject property may lie in its civic identity, Works Progress Administration-era associations and reflections of the City Beautiful Movement. The project will result in alteration of the Streamline Moderne Fountain at this site, but it will not adversely affect the Park's special character overall due to its limited scope and retention of the remaining features of the site.

STANDARD CONDITIONS

The following conditions, as well as all other applicable provisions of the Landmarks Preservation Ordinance, apply to this Permit:

1. Conditions Shall be Printed on Plans

The conditions of this Permit shall be printed on the *second* sheet of each plan set submitted for a building permit pursuant to this Permit, under the title 'Structural Alteration Permit Conditions'. *Additional sheets* may also be used if the *second* sheet is not of sufficient size to list all of the conditions. The sheet(s) containing the conditions shall be of the same size as those sheets containing the construction drawings; 8-1/2" by 11" sheets are not acceptable.

2. Plans and Representations Become Conditions

Except as specified herein, the site plan, floor plans, building elevations and/or any additional information or representations, whether oral or written, indicating the proposed structure or manner of operation submitted with an application or during the approval process are deemed conditions of approval.

3. Subject to All Applicable Laws and Regulations

The approved use and/or construction is subject to, and shall comply with, all applicable City Ordinances and laws and regulations of other governmental agencies. Prior to construction, the applicant shall identify and secure all applicable permits from the Zoning Adjustments Board or Zoning Officer, Building and Safety Division, Public Works Department and other affected City divisions and departments.

4. Exercise and Lapse of Permits

- A. A permit for the construction of a building or structure is deemed exercised when a valid City building permit, if required, is issued, and construction has lawfully commenced.
- B. A permit may be declared lapsed and of no further force and effect if it is not exercised within one year of its issuance, except that permits for construction or alteration of structures or buildings may not be declared lapsed if the permittee has: (1) applied for a building permit; or, (2) made substantial good faith efforts to obtain a building permit and begin construction, even if a building permit has not been issued and/or construction has not begun.

5. Indemnification Agreement

The applicant shall hold harmless, defend, and indemnify the City of Berkeley and its officers, agents, and employees against any and all liability, damages, claims, demands, judgments or other losses (including without limitation: attorney's fees, expert witness and consultant fees and other litigation expenses), referendum or initiative relating to, resulting from or caused by, or alleged to have resulted from, or caused by, any action or approval associated with the project. The indemnity includes without limitation, any

legal or administrative challenge, referendum or initiative filed or prosecuted to overturn, set aside, stay or otherwise rescind any or all approvals granted in connection with the Project, any environmental determination made for the project and granting any permit issued in accordance with the project. This indemnity includes, without limitation, payment of all direct and indirect costs associated with any action specified herein. Direct and indirect costs shall include, without limitation, any attorney's fees, expert witness and consultant fees, court costs, and other litigation fees. City shall have the right to select counsel to represent the City at Applicant's expense in the defense of any action specified in this condition of approval. City shall take reasonable steps to promptly notify the Applicant of any claim, demand, or legal actions that may create a claim for indemnification under these conditions of approval.

6. Halt Work/Unanticipated Discovery of Tribal Cultural Resources

In the event that cultural resources of Native American origin are identified during construction, all work within 50 feet of the discovery shall be redirected. The project applicant and project construction contractor shall notify the City Planning Department within 24 hours. The City will again contact any tribes who have requested consultation under AB 52, as well as contact a qualified archaeologist, to evaluate the resources and situation and provide recommendations. If it is determined that the resource is a tribal cultural resource and thus significant under CEQA, a mitigation plan shall be prepared and implemented in accordance with State guidelines and in consultation with Native American groups. If the resource cannot be avoided, additional measures to avoid or reduce impacts to the resource and to address tribal concerns may be required.

7. Archaeological Resources (*Ongoing throughout demolition, grading, and/or construction*)

Pursuant to CEQA Guidelines Section 15064.5(f), "provisions for historical or unique archaeological resources accidentally discovered during construction" should be instituted. Therefore:

- A. In the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant and/or lead agency shall consult with a qualified archaeologist, historian or paleontologist to assess the significance of the find.
- B. If any find is determined to be significant, representatives of the project proponent and/or lead agency and the qualified professional would meet to determine the appropriate avoidance measures or other appropriate measure, with the ultimate determination to be made by the City of Berkeley. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and/or a report prepared by the qualified professional according to current professional standards.
- C. In considering any suggested measure proposed by the qualified professional, the project applicant shall determine whether avoidance is necessary or feasible in light of factors such as the uniqueness of the find, project design, costs, and other considerations.

- D. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation measures for cultural resources is carried out.
- E. If significant materials are recovered, the qualified professional shall prepare a report on the findings for submittal to the Northwest Information Center.

8. Human Remains (*Ongoing throughout demolition, grading, and/or construction*)

In the event that human skeletal remains are uncovered at the project site during ground-disturbing activities, all work shall immediately halt and the Alameda County Coroner shall be contacted to evaluate the remains, and following the procedures and protocols pursuant to CEQA Guidelines Section 15064.5 (e)(1) . If the County Coroner determines that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to Health and Safety Code Section 7050.5(c), and all excavation and site preparation activities shall cease within a 50-foot radius of the find until appropriate arrangements are made. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance and avoidance measures (if applicable) shall be completed expeditiously.

9. Paleontological Resources (*Ongoing throughout demolition, grading, and/or construction*)

In the event of an unanticipated discovery of a paleontological resource during construction, excavations within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist (per Society of Vertebrate Paleontology standards [SVP 1995,1996]). The qualified paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the City determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project on the qualities that make the resource important, and such plan shall be implemented. The plan shall be submitted to the City for review and approval.

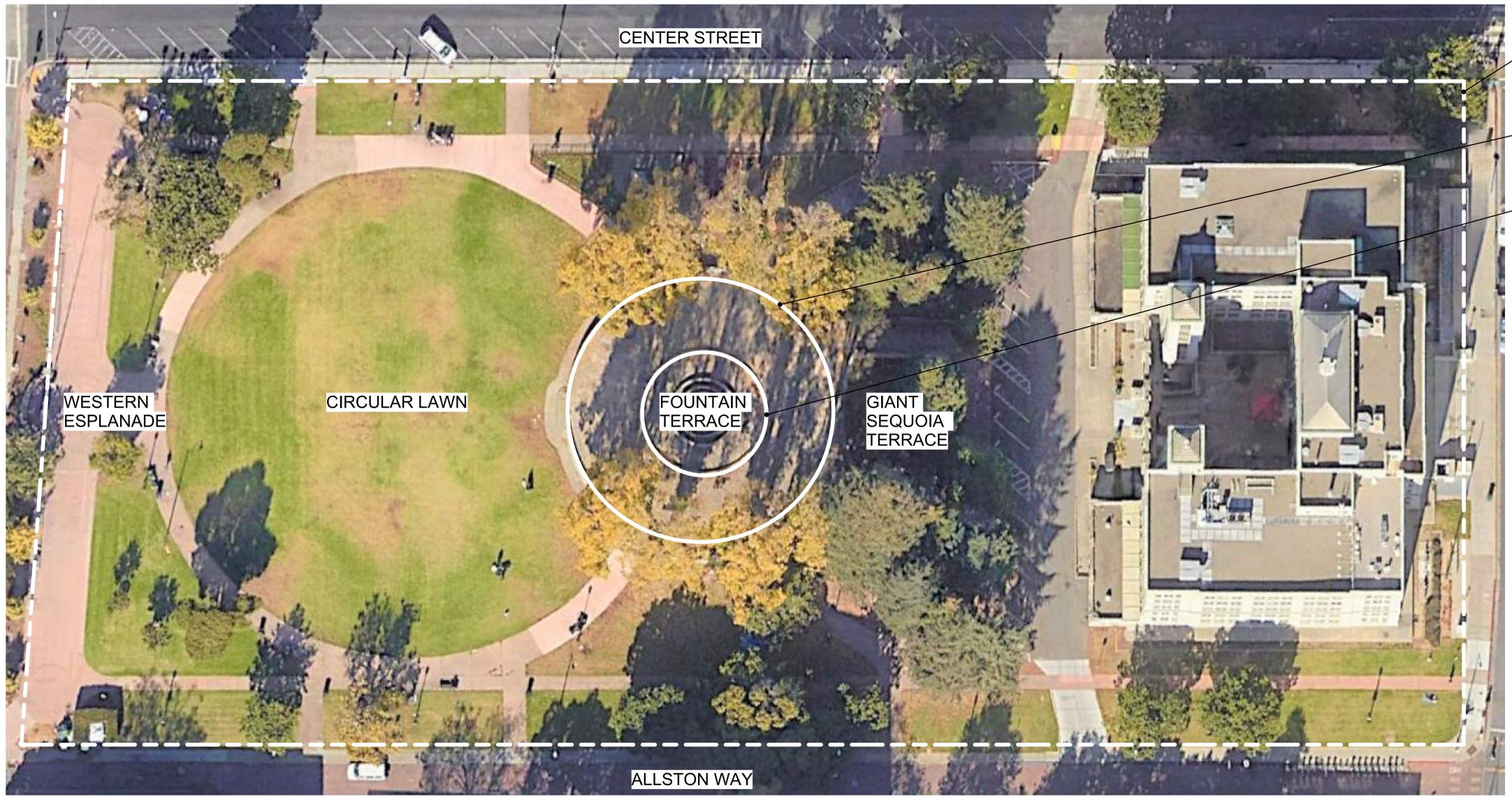
ADDITIONAL CONDITIONS

The following additional conditions are attached to this Permit:

- 10. No changes can be made to these approved plans without prior approval.**
- 11. CITY PERMITS.** This Structural Alteration Permit (SAP) approval is contingent upon approval of the requisite City Permits for the project scope.
- 12. PLANS COMPLIANCE.** Construction and building permit plans shall substantially conform to the Structural Alteration Permit (SAP) project plans.

- 13. REPAIR AND REPLACEMENT OF CHARACTER-DEFINING FEATURES.** Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old or historic feature in design, color, texture, and, where possible, materials. Replacement of missing features shall be substantiated by documentary and physical evidence.
- 14.** Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
- 15. COLORS.** Prior to project implementation and/or Landmarks plan checker sign-off of the Building Permit set of drawings, the applicant shall submit color and materials information for review and approval by Landmarks staff, in coordination with the LPC Chair as needed.
- 16. DETAILS.** Prior to project implementation and/or Landmarks plan checker sign-off of the Building Permit set of drawings, the applicant shall submit window, door, base, and trim details for review and approval by the Landmarks plan checker.
- 17. LIGHTING (if applicable).** Prior to project implementation and/or Landmarks plan checker sign-off of the building permit set of drawings, the applicant shall submit lighting details showing all existing and proposed site and building lighting. Exterior lighting, including for signage, shall be downcast and not cause glare on the public right-of-way and adjacent parcels.
- 18. LANDSCAPE PLANS (if applicable).** Prior to project implementation and/or Landmarks plan checker sign-off of the Building Permit set of drawings, the applicant shall submit a Landscape plan including the number, location, and species of all proposed plantings, and which existing plantings shall be removed. The applicant shall provide irrigation for all landscaped areas or provide drought tolerant plant palette. This shall be called out on Landscape building permit drawings.
- 19. LANDSCAPE IRRIGATION (if applicable).** Prior to project implementation and/or Landmarks plan checker sign-off of the Building Permit set of drawings, the applicant shall provide irrigation for all landscaped areas. This shall be called out on Landscape building permit drawings.
- 20.** The applicant shall be responsible for identifying and securing all applicable permits from the Building and Safety Division and all other affected City divisions/departments prior to the start of work.
- 21.** The applicant is responsible for complying with all the above conditions. Failure to comply with any condition could result in construction work being stopped, issuance of citations, as well as further review by the Landmarks staff, which may modify or impose additional conditions, or revoke approval.

- 22.** All building permit drawings and subsequent construction shall substantially conform to the approved plans as outlined in Condition #1. Any modifications must be reviewed by the Landmarks plan checker to determine whether the modification requires approval.
- 23.** The applicant shall hold harmless, defend, and indemnify the City of Berkeley and its officers, agents, and employees against any and all liability, damages, claims, demands, judgments or other losses (including without limitation, attorney's fees, expert witness and consultant fees and other litigation expenses), referendum or initiative relating to, resulting from or caused by, or alleged to have resulted from, or caused by, any action or approval associated with the project. The indemnity includes without limitation, any legal or administrative challenge, referendum or initiative filed or prosecuted to overturn, set aside, stay or otherwise rescind any or all approvals granted in connection with the Project, any environmental determination made for the project and granting any permit issued in accordance with the project. This indemnity includes, without limitation, payment of all direct and indirect costs associated with any action specified herein. Direct and indirect costs shall include, without limitation, any attorney's fees, expert witness and consultant fees, court costs, and other litigation fees. City shall have the right to select counsel to represent the City at Applicant's expense in the defense of any action specified in this condition of approval. City shall take reasonable steps to promptly notify the Applicant of any claim, demand, or legal actions that may create a claim for indemnification under these conditions of approval.

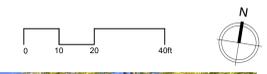


MARTIN LUTHER KING, JR.
CIVIC CENTER PARK AND CITY HALL

IMPROVEMENT EXTENTS,
TURTLE ISLAND MONUMENT -
SEE SITE PLAN

SEE LANDSCAPE PLAN, SECTION

SATELLITE IMAGE OF PARK
SCALE 1"=20'-0"



SATELLITE IMAGE CLOSE-UP OF TERRACE



TERRACE ON INDIGENOUS PEOPLES DAY 2023

PROTECT ALL (E) TREES, TYP.
 RETAIN ALL (E) LIGHTING, TYP.
 PROTECT (E) MARTIN LUTHER KING, JR PLAQUE
 BLANK MEDALLION, TYP.
 CENTRAL AREA - SEE LANDSCAPE PLAN, SECTIONS

LEGEND - HARDSCAPE

-  BLUE GLASS TOP-SEEDED CONCRETE, HIGH DENSITY; OR BLUE STONE
-  BLUE GLASS TOP-SEEDED CONCRETE, MODERATE DENSITY; OR BLUE STONE
-  BLUE GLASS TOP-SEEDED CONCRETE, LOW DENSITY; OR BLUE STONE
-  FLAGSTONE PAVING - MATCH (E) IN PATTERN AND STONE SIZE

LEGEND - ARTWORK WITH ASSOCIATED ELEMENTS

-  LOW STONE, 6" TO 1'-6" HIGH, POLISHED FINISH ON SURFACE WITH ROUGH EDGES
-  WITH ARTWORK: (4) BRONZE LOGGERHEAD TURTLES, MOUNTED TO SURFACE
-  LARGE BOULDER, 2'-6" TO 4' HIGH, NATURAL FINISH
-  WITH ARTWORK: (8) TRIBAL MEDALLIONS, EMBEDDED TO HAVE FINISHED FACADE FLUSH TO BOULDER SURFACE; POLISHED RIM AROUND MEDALLION
-  LARGE CENTER STONE ARTWORK WITH WATER FEATURE AND CONTRASTING INLAY AT FOUR DIRECTIONS
 ARTWORK: LARGE BRONZE FRESHWATER TURTLE, WITH NORTH AND SOUTH AMERICA SURROUNDED BY OTHER CONTINENTS, EAGLE, AND CONDOR, SURFACE MOUNTED ARTWORK: TIME CAPSULE, WITHIN
-  FLOW OF WATER
-  BLANK MEDALLION, STONE, TO MATCH FLAGSTONE PAVING IN COLOR
-  LOW PLANTING AT GRADE
-  CURB AT PLANTING EDGE, 4" HIGH

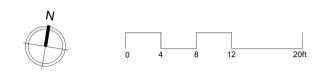
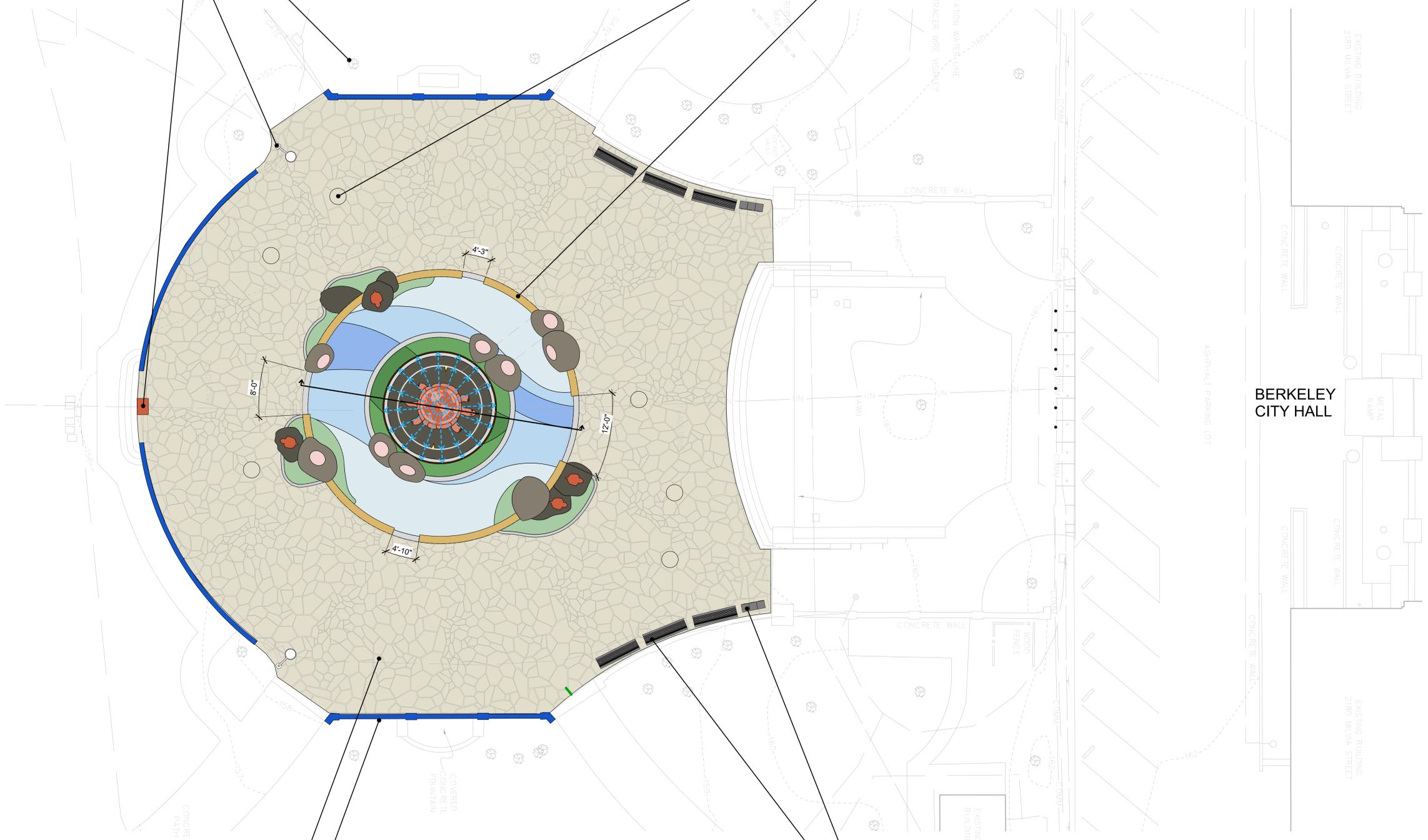
LEGEND - FURNISHINGS

-  SEATWALL MOUNTED TO (E) FOUNTAIN BASIN RIM - IN WOOD WITH NATURAL FINISH
-  PARK BENCH
-  WASTE/COMPOST/RECYCLING RECEPTACLES

FLAGSTONE PAVING - REPLACE ALL EXTENTS SHOWN
 LIMITED WORK ON THE FOUR "WORLD WALL OF PEACE" WALLS - RENOVATE CONCRETE WALLS (NO TILE WORK)

BENCHES (REPAIR CONCRETE, REPLACE WOOD) AND PERIOD-APPROPRIATE WASTE RECEPTACLES

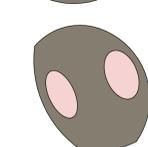
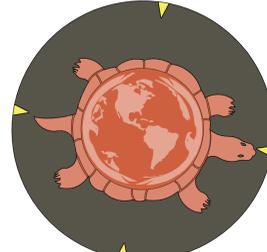
SITE PLAN
 Scale: 1/8" = 1'-0"



LEGEND - HARDSCAPE

-  BLUE GLASS TOP-SEEDED CONCRETE, HIGH DENSITY; OR BLUE STONE
-  BLUE GLASS TOP-SEEDED CONCRETE, MODERATE DENSITY; OR BLUE STONE
-  BLUE GLASS TOP-SEEDED CONCRETE, LOW DENSITY; OR BLUE STONE
-  FLAGSTONE PAVING - MATCH (E) IN PATTERN AND STONE SIZE

LEGEND - ARTWORKS AND ASSOCIATED ELEMENTS

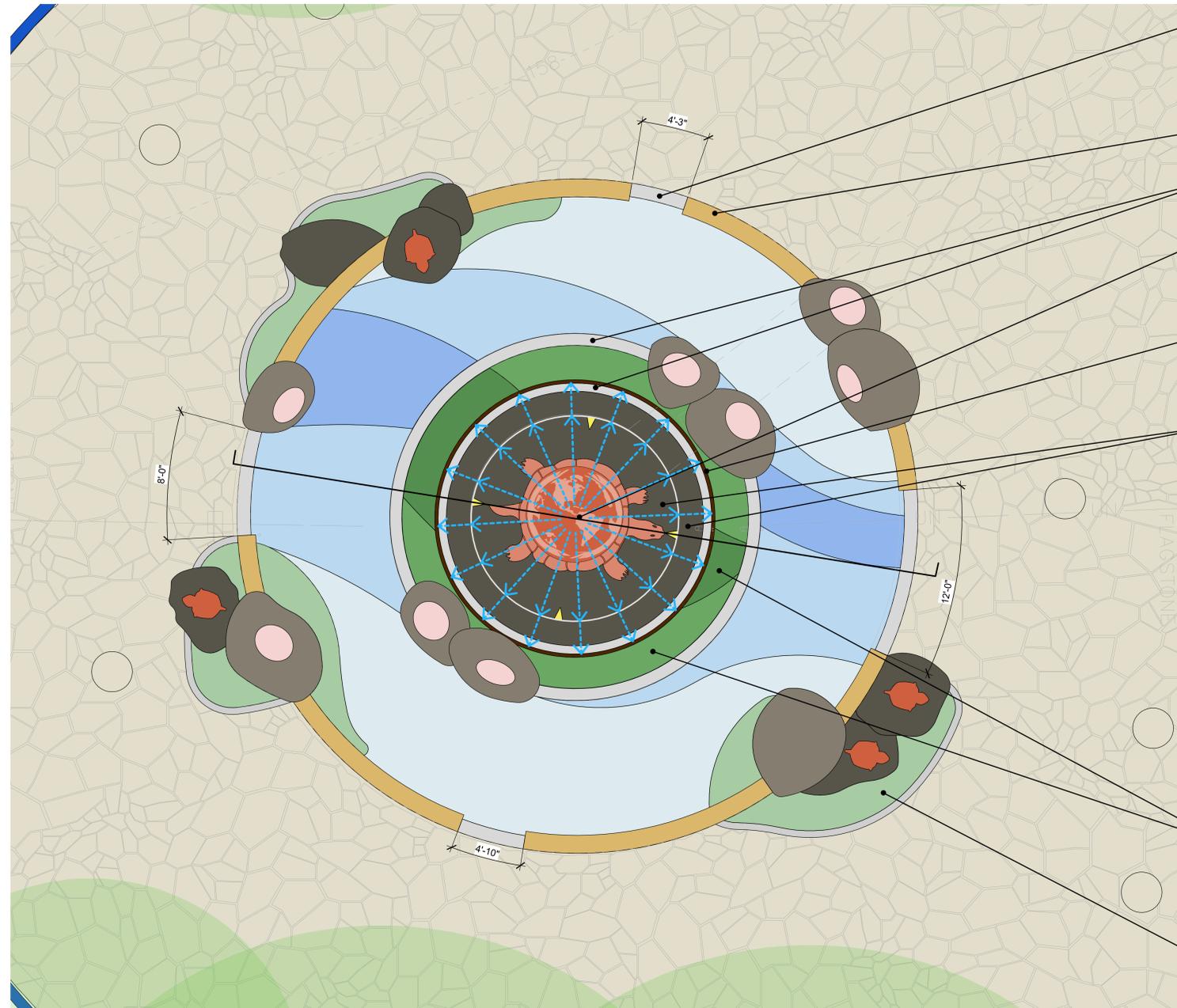
-  LOW STONE, 6" TO 1'-6" HIGH, POLISHED FINISH ON SURFACE WITH ROUGH EDGES
-  WITH ARTWORK: (4) BRONZE LOGGERHEAD TURTLES, MOUNTED TO SURFACE
-  LARGE BOULDER, 2'-6" TO 4' HIGH, NATURAL FINISH
-  WITH ARTWORK: (8) TRIBAL MEDALLIONS, EMBEDDED TO HAVE FINISHED FACADE FLUSH TO BOULDER SURFACE; POLISHED RIM AROUND MEDALLION
-  LARGE CENTER STONE ARTWORK WITH WATER FEATURE AND CONTRASTING INLAY AT FOUR DIRECTIONS
ARTWORK: LARGE BRONZE FRESHWATER TURTLE, WITH NORTH AND SOUTH AMERICA SURROUNDED BY OTHER CONTINENTS, EAGLE, AND CONDOR; SURFACE MOUNTED
ARTWORK: TIME CAPSULE, WITHIN
-  FLOW OF WATER
-  BLANK MEDALLION, STONE, TO MATCH FLAGSTONE PAVING IN COLOR

LEGEND - PLANTING WITH CURB REQUIREMENT

-  LOW PLANTING AT GRADE
-  CURB AT PLANTING EDGE, 4" HIGH

LEGEND - FURNISHINGS

-  SEATWALL (16" DEPTH) MOUNTED TO (E) FOUNTAIN BASIN RIM - IN WOOD WITH NATURAL FINISH



- (E) BASIN WALL AT PEDESTRIAN OPENINGS, TYP. - GRIND DOWN TO BAND, FLUSH WITH FINISH GRADE; COVER VERTICAL SIDES WITH MOSAIC TILE COLORED IN FOUR DIRECTIONS
- (E) BASIN WALL WITH MOUNTED SEATING TOP
- (E) FOUNTAIN TIERS
- NEW FOUNTAIN SYSTEM TO EMIT THE LARGEST AMOUNT OF WATER THAT SYSTEM WILL PERMIT, DURING DAYLIGHT HOURS
- NEW FOUNTAIN DRAIN
- LARGE CENTER STONE - SEE SECTION; TOP TIER SURFACE: POLISHED
VERTICAL SIDE: ROUGHENED
SECOND TIER: POLISHED
- PLANTING IN RAISED FOUNTAIN TIER, TYP. - LOW GROUNDCOVER MASSING THAT EVOKES WATER
- PLANTING AT FINISH GRADE, TYP. - LOW GROUNDCOVER OR GRASSES IN MASSING THAT EVOKES WATER

LANDSCAPE PLAN

Scale: 1/4" = 1'-0"

Written Statement of Landscape Plan Concept

from 1992 Turtle Island Monument flyer, written by Lee Sprague:

"In my people's creation stories the world was covered with water and all the animals were swimming. They were getting tired, so they respectfully asked the muskrat to go under the water to see if there was any earth. So the muskrat went down to find the earth. All of the animals were waiting for the muskrat to reappear. They were worried for the muskrat. Finally his body floated to the surface. The animals looked in his paw and they found some earth. They put the earth on the turtle's back. The rest of the animals now knew that there was earth under the water so they each went down to get some earth, first the loon then the duck and all of the rest of the animals. They all put the Earth on the turtle's back. This is how Turtle Island was created."

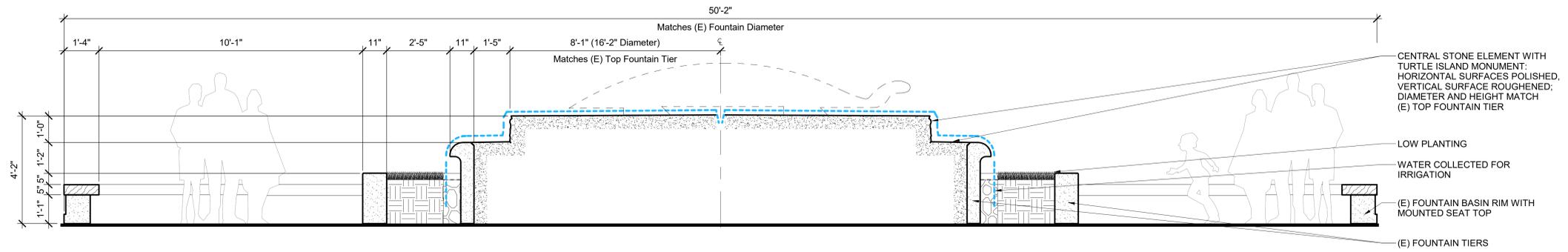
The Turtle Island Monument honors the history, creation, and celebration of Indigenous Peoples Day, respectfully, within the City of Berkeley Landmark #201, the Martin Luther King, Jr. Civic Center Park. See Applicant's Statement for more information.

Irrigation Basis of Design

The irrigation system will be supplied using water that has run through the fountain and stored in a below-ground tank. The system will be pressurized with a booster pump that will be installed together with the fountain pump, and use the same power supply. The pump will be either pressure operated, or operate via the irrigation controller. Plants will be irrigated with a high efficiency, low flow, point source drip system constructed with equipment and method preferred by city maintenance staff and in use at other sites throughout the city. All irrigation equipment will be commercial grade, selected for durability and minimal maintenance burden.

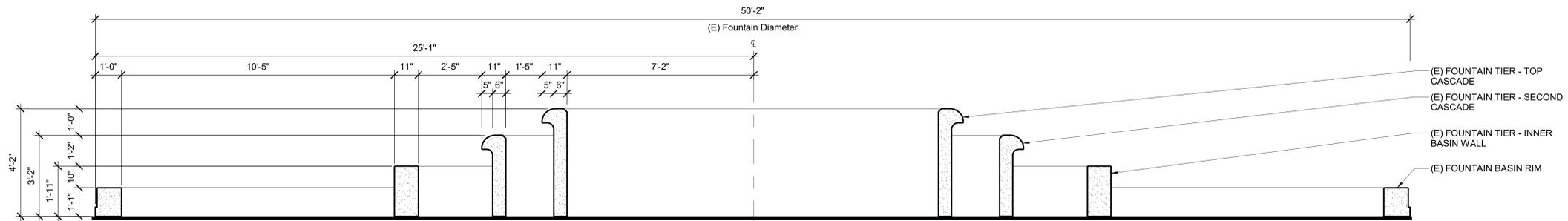
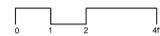
Grading Concept

This project will provide accessible parking and an accessible pedestrian right-of-way to the Monument and to the terrace.



SECTION AT MONUMENT (THROUGH EXISTING FOUNTAIN)

Scale: 1/2" = 1'-0"



SECTION AT FOUNTAIN - EXISTING

Scale: 1/2" = 1'-0"





Flagstone Paving - Match (E)
Stone Size and Pattern



Blank Medallions - 3'Ø
stone pavers in flagstone,
to match predominant
color of flagstone



Pedestrian openings in (E)
fountain basin wall -
Preserve footprint of
removed wall portion, finish
smooth, flush with paving



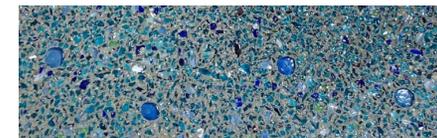
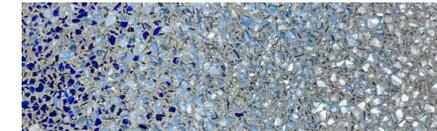
Pedestrian Openings in (E)
Fountain Basin Wall: Finish
exposed vertical wall sides in
Mosaic, Colors of 4 Directions
(all square or linear tiles)



Benches - Repair
concrete, replace wood

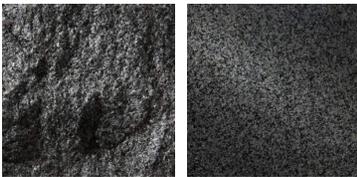


Wood Seatwall Topping on (E)
Fountain Basin Rim (16" wide)



Blue Glass Top-Seeded
Concrete Paving
(3 densities of blue)

Upper Plaza & Fountain Area Improvements	Project Address: Martin Luther King, Jr. Civic Center Park, 2151 Martin Luther King Jr. Way, Berkeley, CA 94704	Preparation Date 02/15/23	Sheet 5
Project Applicant: Evelyn Chan, City of Berkeley Parks, Recreation & Waterfront Dept. 2180 Milvia Street, 3rd Floor, Berkeley, CA 94704 (510) 981-6700	Plan Preparation: Cathy Garrett, PGAdesign Landscape Architects, Inc. 444 17th Street, Oakland, CA 94610 (510) 552-8852	Materials Board - Paving & Furnishing	



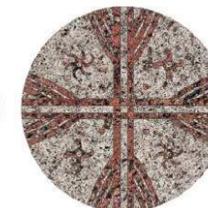
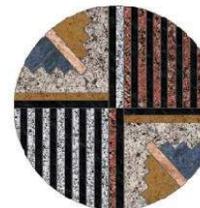
Low Stones (6" TO 1'-6" High) and Large Central Stone with Contrasting Inlay at 4 Directions (See Section) - Black Granite, Polished Finish on Surface with Rough Vertical Sides



Artwork - 4 Loggerhead Turtles, bronze, each 3'-10" long, (existing), mount to Low Stones

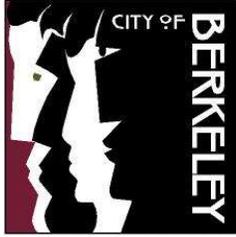


Large Boulders (2'-6" to 4' high) - Rough/natural finish with tribal medallions inset to be flush with face of stone



Artwork - 8 Tribal Medallions in mosaic, with a range of gloss and texture, 3'Ø (existing), inset in Large Boulders

Upper Plaza & Fountain Area Improvements	Project Address: Martin Luther King, Jr. Civic Center Park, 2151 Martin Luther King Jr. Way, Berkeley, CA 94704	Preparation Date 02/15/23	Sheet 6
Project Applicant: Evelyn Chan, City of Berkeley Parks, Recreation & Waterfront Dept. 2180 Milvia Street, 3rd Floor, Berkeley, CA 94704 (510) 981-6700	Plan Preparation: Cathy Garrett, PGAdesign Landscape Architects, Inc. 444 17th Street, Oakland, CA 94610 (510) 552-8852	Materials Board - Artwork	



DEPARTMENT OF PARKS, RECREATION & WATERFRONT

To: Landmarks Preservation Commission (LPC)
Planning and Development Department
1947 Center Street, 2nd Floor
Berkeley, CA 94704

From: Scott Ferris, Director, Parks, Recreation & Waterfront Department
Jennifer Lovvorn, Office of the City Manager, Civic Arts Program

Date: February 13, 2023

Subject: LPC Structural Alteration Permit
Martin Luther King, Jr./Civic Center Park Turtle Island Monument Project
Applicant Statement

The below Applicant Statement summarizes the description of existing conditions, proposed alterations, project rationale, benefits, and basis for LPC approval of a Structural Alteration Permit for renovations to the upper plaza and fountain area at Martin Luther King Jr. Civic Center Park (Civic Center Park). Civic Center Park is a City of Berkeley Landmark, located in the Civic Center Historic District, as registered in the National Register of Historic Places. We are seeking to make alterations to the site per the requirements set forth in Berkeley Municipal Code (BMC) Chapter 3.24.

The City of Berkeley, Parks, Recreation & Waterfront (PRW) Department, along with the City of Berkeley Civic Arts Program, Indigenous consultants Lee Sprague and Marlene Watson, artist Scott Parsons, and PGAdesign landscape architects (Project Team) are in the design phase for the renovation of the upper plaza and fountain area at Civic Center Park. These renovations will include a monument to the Indigenous peoples of this hemisphere (the Americas) through an interpretation of the Indigenous creation story of Turtle Island, as envisioned in the 1992 dedication of the site for this purpose.

The Project Team has developed this design based on the original Turtle Island Monument concept proposed by our Indigenous consultant in the 1990s, and integrating the art elements created for the fountain in the 2000's. The conceptual designs of this project were presented to the Landmarks Preservation Commission on December 1, 2022, and reviewed with the Landmarks Preservation Commission Subcommittee for City Projects on multiple dates. Since

December 1, 2022, the Project Team has also presented the project to the Civic Arts Commission (12/7/2022), the Parks, Recreation & Waterfront Commission (1/11/2023), and are working with Rincon Consultants Inc. (Rincon), architectural historians and cultural resources consultants, for review and input. The conceptual designs have been endorsed by the Civic Arts Commission and Parks, Recreation & Waterfront Commissions to proceed.

Changes to the conceptual plans based on Commissions' input and recommendations by Rincon to preserve historic fabric at the site include: the addition of a water feature to the monument, reduction in the amount of removal of the existing fountain walls, limiting of site improvements to keep a more streamlined appearance of the existing fountain walls, and the addition of interpretive signage and provisions for modest lighting improvements to be included in the future.

APPLICANT STATEMENT

Description of Existing Conditions

The Civic Center Park fountain was inspired by two fountains at the 1939 Golden Gate International Exposition on Treasure Island: specifically, the Fountain of the Western Waters and the Pacific Basin Fountain. The upper plaza and fountain finished construction in 1942, and in the 1960s, the fountain's water feature was turned off due to broken equipment and remains in that state today. Much of the flagstone in the upper terrace have settled and cracked and are not ADA compliant.

The Civic Center Park Fountain is unfortunately currently used as a large container for trash, human waste, and is a lethal trap for birds. The City annually removes 277 tons of trash and illegal dumping from the park. The fountain and terrace area have significant deferred maintenance and non-ADA compliant surfacing. The neglected appearance of this one-time symbol of civic pride deters thousands of students, workers, visitors, and residents who pass by the park on a regular basis.

Project History and Rationale:

In the 1990s, the Turtle Island Monument was first proposed by Lee Sprague as artist and Marlene Watson as project designer. They worked with both the City of Berkeley and Indigenous communities internationally to develop the monument's design – merging an Indigenous ethic and aesthetic with the requirements provided by the City and its Commissions.

On July 7, 1992¹, Berkeley City Council approved the recommendation from the Berkeley Peace and Justice Commission for “the creation of the Turtle Island Project, as the native Nation's monument within the Peace Wall circle at Martin Luther King Civic Center Park, as adopted by the Berkeley City Council in the Resistance 500 Task Force Proposal and with the support of the

¹ 1992-07-07 Council Report

Landmarks Preservation and the Civic Arts Commissions". In 1992, the City of Berkeley became the first city in the U.S. to declare and institute Indigenous Peoples Day, to coincide with the 500th anniversary of the arrival of Columbus in the Americas on October 12, 1492. The City included a designation of the Turtle Island Monument and Time Capsule at the fountain at Civic Center Park as part of the declaration.

The original proposal for the Turtle Island Monument included "a round base of granite with entry from the East. In the center of the circle will be a bronze turtle ... Around Turtle Island will be a circle of water... round tiles with the names of Indigenous nations and people engraved on them. Many of the tiles will be blank, to represent the people who are no longer with us, languages that are not heard anymore, and nations that have ceased to exist since 1492."

In the 1997 Landmark Application² of Civic Center Park, the general concept of the Turtle Island fountain/monument that was endorsed was further described: "In recent years, the "Turtle Island" fountain design has been revised to incorporate some of the concentric ring arrangement of the current fountain, and reduce the size of the composition to the center of the terrace rather than the entire terrace space. Water would flow outwards and pathways would lead inward, representing the migration of peoples to the Americas across the surrounding oceans", this concept attributed to Lee Sprague, Potawatomie from Michigan, of the Little River Band of Ottawa Indians, as the original monument artist.

As stated in the Landmark Application of Civic Center Park, the park has been the site of numerous cultural and civic events of importance to Berkeley's history. As evidence of the City's history of documenting important and significant cultural shifts and events, Civic Center Park was renamed Martin Luther King Jr. Civic Center Park in 1983. The park is listed on the National Register under this name.

In 2005, the City underwent a public process to commission artist Scott Parsons to create four bronze oceanic turtle sculptures and facilitate the creation of eight stone art medallions by North, Central and South American Indigenous artists and international tribal representatives. These art pieces have been in storage to be installed as part of the Turtle Island Monument.

More recently, on October 11, 2022³, City Council unanimously adopted a Land Acknowledgment Statement Resolution to remind our City and community of the need to consider and take more substantive reparative and restorative actions to recognize that the City of Berkeley rests upon the ancestral lands of Indigenous peoples. The changes being proposed to the Civic Center Fountain carry a cultural significance that is representative of the Indigenous People that originally occupied the continents of North and South America.

² 1997-11-03 Landmark Designation and Application

³ 2022-10-11 Council Report

In summary, this project has been in development for over 30 years. We have re-engaged Lee Sprague, together with Marlene Watson, and Indigenous participation, to continue the project, based on their original approved concepts. The Secretary of the Interior's Standards for Rehabilitation acknowledge that most properties change over time. In this case, the proposed project makes alterations to a contributing feature within a historic resource. The renovations of the upper plaza and fountain will not change the historic resource which is Civic Center Park, which will continue to be site of cultural and civic events of importance to Berkeley's history.

Explanation of Project Design, and Proposed Alterations:

The Indigenous creation story depicting Turtle Island is common to many Indigenous communities around the world, and is the basis for the proposed monument. In the story, the world was covered with water and all the animals were swimming. They were getting tired, so they respectfully asked the muskrat to go under the water to see if there was any earth. So, the muskrat went down to find the earth. All the animals were waiting for the muskrat to reappear. They were worried for the muskrat. Finally, his body floated to the surface. The animals looked in his paw and they found some earth. They put the earth on the turtles back. The rest of the animals now knew that there was earth under the water so they each went down to get some earth. They all put the Earth on the turtle's back. This is how Turtle Island was created.

The conceptual design represents this origin story with an east-facing, stylized freshwater turtle at the center of the monument symbolizing the creation of Turtle Island, and a time capsule to be preserved for seven generations. The turtle faces east, toward the rising sun. The four bronze loggerhead oceanic turtles, commissioned in 2006, are positioned around Turtle Island.

The eight medallions represent peoples who are Indigenous to Turtle Island. Blank medallions embedded in the paving represent the Indigenous communities that have been lost to the history of colonial violence, and who are no longer here.

The Turtle Island Monument at the former fountain invites all people to enter and engage with sculpture, fountain walls, natural stones and plantings. Interpretive signage will narrate the Indigenous origin story, along with the history of the Monument and its connection to the establishment of Indigenous Peoples Day in Berkeley in 1992, the first Indigenous Peoples Day nationwide. People are invited to sit and linger while facing the central turtle or outwards toward the park. The intention of the Turtle Island Monument is to authentically tell this story, to illuminate this park's intangible asset that is its role in the founding and celebration of Indigenous People's Day, to respect and contribute to the history and evolution of MLK Jr. Civic Center Park, and to engage the people of Berkeley on a physical, emotional, and cultural level.

The Monument's palette of materials and forms represent water as a sacred resource, the true cardinal directions and their axes, and the experience of asymmetry and symmetry in the natural world. There is also a reference to four sacred colors representing the four directions,

cardinal points are marked at the entries into the monument. The resulting circulation and layout create a dynamic, immersive, and accessible experience for Monument visitors.

The surface on which the central turtle is mounted is polished granite, which will reflect the sky, light, and surrounding trees and create a space for reflection and contemplation. Smooth, horizontal granite surfaces are located at several other locations in the design.

Based on comments received from previous presentations, the flow of water has been returned to the fountain. Water will periodically emanate from the center of the monument, beneath the large turtle mounted on the top tier, and will flow over the smooth surface of the granite tier, then down the rusticated sides of the granite to a second level where the horizontal granite is again smooth, then ultimately over the existing concrete drip edge from the original fountain. The intention is to evoke the sound of water, a sacred resource. This approach to a water feature recognizes the fountain as a character defining feature as well as the Monument's aesthetic and the current site conditions.

Project Benefits:

The Turtle Island monument carries an important cultural significance that aligns with and recognizes that the City of Berkeley rests upon the ancestral lands of Indigenous peoples and is emblematic of the pattern of urban development across native lands. The project also remedies the current blight at the site. Additionally, accessibility in the upper plaza and fountain will be improved to meet current ADA accessibility standards. These improvements will benefit and educate the thousands of students, workers, visitors, and residents who pass by the park on a regular basis and who will now be invited to enter and enjoy the fountain and monument.

Basis for Landmarks Preservation Commission Approval:

The project has been reviewed by Rincon against the Standards for Rehabilitation as set forth in the Secretary of the Interior's Standards for the Treatment of Historic Properties

The historic resource is Martin Luther King Jr. Civic Center Park, which sits in the Berkeley Civic Center Historic District. The fountain and the low wall surrounding a portion of the terrace is a contributing feature within this larger historic resource. Alterations to the upper plaza and fountain do not change the historic resource which is the overall park, nor does it change the areas represented in the park, such as a paved seating area at the west end, a large central lawn, and the eastern plaza with a focal element. Rincon has provided recommendations to minimize impacts to the existing fountain.

In the upper plaza, the central fountain is approximately 50 feet in diameter and includes interior rings of descending height forming cascades, from the top center, outwards to a large, low outer ring. There is a small utility tunnel for mechanical equipment and plumbing under the fountain, running from beneath the center of the fountain in a northeastern direction to a

wooden hatch, flush with the ground, outside the fountain terrace. The fountain terrace is paved with flagstone which is also a character defining feature.

As part of the project, modifications to some of the character defining features are being proposed in order to create the Turtle Island Monument and tell the origin story of Indigenous Peoples. Proposed modifications to the existing fountain include an addition of a turtle sculpture at its center, the removal of the top ring, opening sections of the outer ring for ADA access, modifications to other rings of the fountain, and limited modifications to the existing flagstone paving in the terrace to improve ADA accessibility.

The proposed modifications will not only enhance the existing fountain area, and preserve much of the character defining features, but improvements will make the fountain accessible, which is currently not possible because the existing uneven flagstone terrace surface and grading does not meet current building code.

Public Engagement Process

The design and public engagement process began in 1992 and has gone through numerous iterations, continuing into the next decade. The Turtle Island Monument was first proposed by Lee Sprague and Marlene Watson, respectively the Monument's artist and designer. They worked with both the City of Berkeley and Indigenous communities internationally to develop the monument's design – merging an Indigenous ethic and aesthetic with the requirements provided by the City and its Commissions during this time.

In 2005, the City underwent a public process to commission artist Scott Parsons to create four bronze oceanic turtle sculptures and facilitate the creation of eight stone art medallions by North and South American Indigenous artists and international tribal representatives. These art pieces have been in storage to be installed as part of the Turtle Island Monument.

More recently at the local level, there is a civically-engaged Turtle Island Monument (TIM) team⁴ who has been very active for several years and instrumental in terms of advocating, engaging architects and Indigenous people, and developing a conceptual plan for a grassroots campaign to seek support and funding to continue the project.

In 2020⁵, the City allocated Measure T1 funds for the project and in 2022, the Indigenous community was formally re-engaged. The original artist and designer, Lee Sprague and Marlene Watson, respectively, returned as City consultants to facilitate the project's design evolution, engage Indigenous community members in the design process, lead the process for the design team (with City staff and PGAdesign) and speak to an authentic Indigenous vision for Turtle Island Monument to develop the current conceptual plan. Scott Parsons who created the turtle sculptures and stone medallions, also returned as a consultant to support the project. To-date,

⁴ TIM team is led by and comprised of Deb Durant, Elyce Klein and David Snippen

⁵ 2020-12-15 Council Report

this effort has involved a series of listening sessions, meetings, design workshops, and design iterations. In August 2022, a 2-day design charrette was conducted in which Indigenous leaders and supporters from across the United States attended.

Background

Civic Center Park was designed and constructed in the 1940s following the passage of a bond measure. The fountain design by architect Henry Gutterson was inspired by two fountains at the 1939 Golden Gate International Exposition on Treasure Island: specifically, the Fountain of the Western Waters and the Pacific Basin Fountain. These fountains were designed to commemorate the exposition's "Pageant of the Pacific" theme with sculptures referencing the Pacific Rim Peoples. The Civic Center Park fountain's machinery and pumps were reused from an original exposition fountain.

In the 1960s, the fountain's water feature was turned off due to broken equipment and remains in that state today. In 1997, the Landmark Application of Martin Luther King Jr. Civic Center Park that identified the Park's character defining features included the fountain, terrace, flagstone paving, and the presence of walls surrounding the terrace. The Application also included the concept of the Turtle Island Monument based on the 1993 endorsement by City Council and City Commissions, including the Landmarks Preservation Commission. The Turtle Island Monument is to be a monument to recall and honor the Native People of the Americas.

The original design was presented to and reviewed by many Indigenous tribes from the Americas and fully represented Indigenous Peoples in Berkeley, America, and beyond.

As stated in the Landmark Designation of Civic Center Park, the park has been the site of numerous cultural and civic events of importance to Berkeley's history. These important events highlight the City's commitment to social justice and equity, including the renaming of the park to "Martin Luther King Jr. Civic Center Park", installation of the Peace Wall which was developed to symbolize peace and reverse the historic usage of walls as fortifications in war and barriers between people, and the establishment of Indigenous People's Day. In 1992, the City of Berkeley became the first city in the nation to declare Indigenous Peoples Day and also endorsed the park fountain as the site of the proposed Turtle Island Monument and time capsule. To this day, the Indigenous Peoples Day Pow Wow and Indian Market takes place at this park. This intangible asset, the social history at this park, and the forthcoming Monument, further validate the National Register of Historic Places' Berkeley Historic Civic Center District designated area of significance as "social history."

Leading up to the declaration of Indigenous Peoples Day by the City of Berkeley in 1992, multiple events drew attention to the recognition of Indigenous Peoples:

In 1977, the UN Conference in Geneva recognized October 12th as an international day of solidarity with the Indigenous Peoples of the Americas. Following this in 1990, the Quito Encuentro was the first continental gathering of Indigenous Peoples.

In 1992, US and Canadian Native Americans gathered for an all-Indian conference at D-Q University in Davis, California, to counter the official ‘Encounter’ of Two Worlds or ‘The Discovery of America’”. From the 1992 All People’s Network Conference at Laney College, a new organization called Resistance 500 formed. The Berkeley Resistance 500 along with the City of Berkeley became the first city in the nation to declare Indigenous Peoples Day – it is at this important moment that the City endorsed the park fountain as the site of the proposed Turtle Island Monument and time capsule. This year, in 2022, at the Indigenous Peoples Day Pow Wow celebrated the 30th anniversary of the 1992 Indigenous Peoples Day declaration.

On July 7, 1992, City of Berkeley Council approved a recommendation for the creation of the Turtle Island Monument within the Peace Wall as shown in the original concept plans and as approved by the Civic Arts Commission, the Peace and Justice Commission, and the Landmarks Preservation Commission. Throughout the 1990s, the Turtle Island Monument concept underwent many design iterations that were loosely based on the original concept proposed by Lee Sprague and Marlene Watson.

On November 3, 1997, Martin Luther King Jr. Civic Center Park was designated a City of Berkeley landmark and the conceptual design of the Turtle Island Monument was endorsed. Their endorsement included a central bronze turtle and incorporation of some of the concentric ring arrangement of the current fountain, with water that flowed outwards and paths that lead inward to the turtle.

In 2003, the City issued a call to artists to develop the four turtle sculptures and eight medallions to be used as part of a monument at the fountain. The project was then paused due to insufficient funding, and the completed art pieces were reserved for installation at a later date.

In 2018⁶, the Berkeley City Council made a referral to the City Manager to develop a plan to revitalize the fountain at Martin Luther King, Jr. Civic Center Park. With this direction, City staff began the process to re-engage the community and further develop the conceptual design. The City continues to support this initiative and on October 11, 2022, unanimously adopted a Land Acknowledgement Statement whereby the City of Berkeley rests upon the ancestral lands of the Chochoyeno speaking Lisjan Ohlone people, thus bringing attention to centuries of resistance to colonial violence, and to remind our City and community of the need to take concrete restorative actions. The statement is not an end in and of itself; it is intended as a call for further restorative and reparative work in which our City and community must engage.

SUMMARY

⁶ 2018-12-04 Council Report

The growing consciousness of the need to acknowledge the cultural significance of the Indigenous People that originally occupied the continents of North and South America has increased over time. The current conceptual design of the Turtle Island Monument at the Civic Center Park represents the vision of Indigenous Peoples and the City's intent to engage the Indigenous community in its reflection and recognition of Indigenous history and the City's landmarks.

All proposed alterations will comply with the Secretary of Interior Standards for the Treatment of Historic Properties and Standards for Rehabilitation. Existing elements will be preserved as shown, and the improvements are being designed to preserve historic materials, features, and spatial relationships that characterize the property.

Because the project is in the design phase, some materials and features have not yet been finalized and will be submitted when the design has progressed, but the design concept will be preserved. Features being submitted are shown in the site plans and landscape plans. Features to be submitted include irrigation plans, planting details, paving details, grading plans, and final artwork. The Civic Arts Program will commission the final central turtle art work based upon the concept included in this design.

Attachments:

Project Plans

Project Impact Analysis, by Rincon Consultants, Inc.



February 15, 2023
Project No: 23-14092

Evelyn Chan, P.E.
City of Berkeley
Parks, Recreation & Waterfront Department
1497 Center Street, 5th Floor
Via email: echan@cityofberkeley.info

Subject: Project Impacts Analysis Memorandum for MLK Jr. Civic Center Park, Turtle Island Monument Berkeley, California – Revised March 21, 2023

Dear Ms. Chan:

Rincon Consultants, Inc. (Rincon) was retained by the City of Berkeley (City) to conduct a project impacts analysis for a proposed project at the Martin Luther King Jr. Civic Center Park (Park). The proposed Turtle Island Monument project involves the redesign of the existing 1942 fountain which is located within the Park. The Park is included as a contributing resource to the National Register of Historic Places-listed Berkeley Historic Civic Center District, which is also a City of Berkeley Landmark Historic District.¹ Additionally, the Park is individually listed as a City of Berkeley Landmark for its architectural, cultural, and historic significance.² The property, is therefore, considered a historical resource as defined in Section 15064.5(a) of the California Environmental Quality Act (CEQA) Guidelines. The current assessment was prepared to determine if the project would result in an impact to a historical resource as defined by CEQA, as well be consistent with the provisions of Chapter 3.24 of the Berkeley Municipal Code (BMC), which guides the treatment of Landmarks in Berkeley. Methods for the current assessment included a review of project plans and relevant historic documentation, a site visit, and preparation of this memorandum to present the results.

The impacts assessment was conducted by Architectural Historian Project Manager JulieAnn Murphy with oversight from Cultural Resources Program Director Steven Treffers and Principal Shannon Carmack, all of whom meet the Secretary of the Interior's *Professional Qualification Standards* (PQS) for architectural history and history (36 CFR Part 61). With 10 years of experience in historic preservation, Ms. Murphy has extensive experience with CEQA compliance reviews and historical resources assessments.

Project Description

The proposed project includes alterations to the 1942 Streamline Moderne fountain in the Park. Designed by Henry Gutterson, who along with the Park's other designers Bernard Maybeck and Julia Morgan were trained at the Ecole des Beaux Arts, it is concrete and includes three upper cascades and a

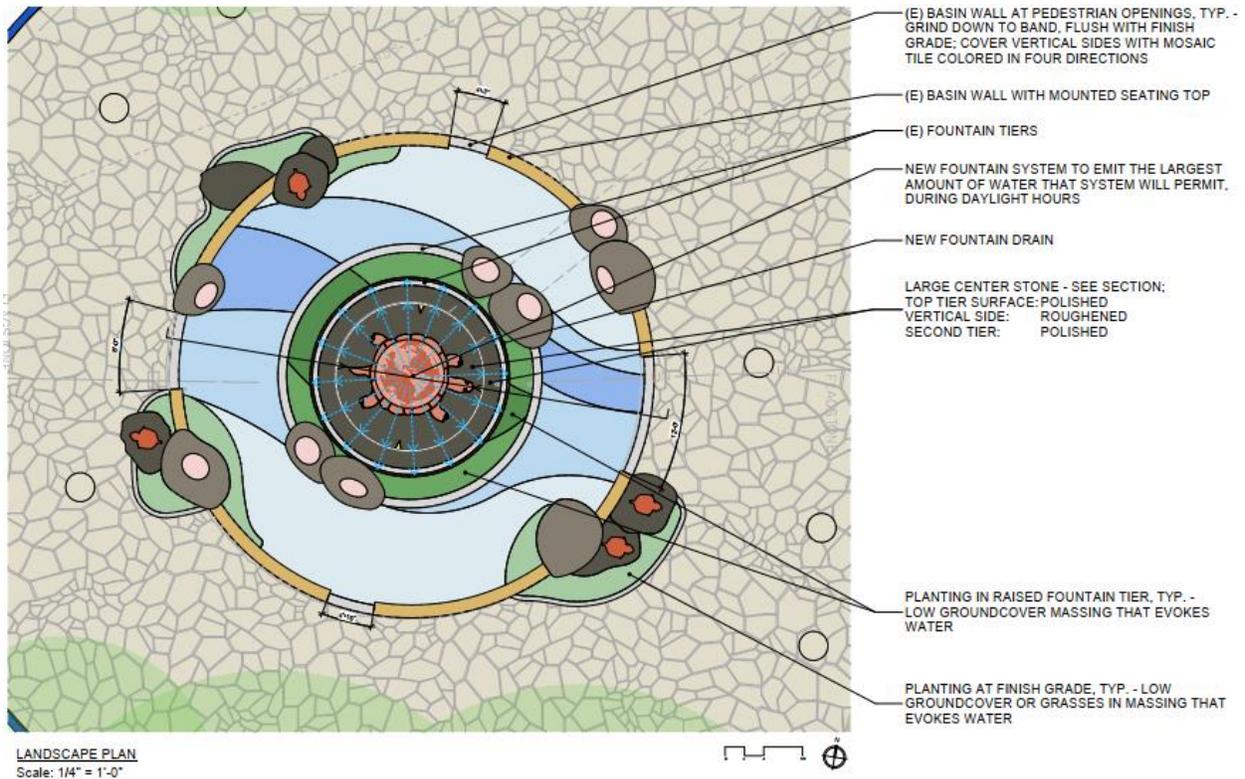
¹ National Park Service, National Register of Historic Places, Berkeley Historic Civic Center District Nomination, NPS Reference #98000963, 1998.

² City of Berkeley, Landmark Application, Berkeley Civic Center Park, Landmark #201 November 3, 1997.

reflecting pool and is surrounded by a flagstone terrace and a low wall. The fountain, which ceased to be functional by the 1970s, is proposed to be retained and repurposed for the Turtle Island Monument, a monument dedicated to all indigenous people of this hemisphere, whose societies as described in a 1992 City of Berkeley proclamation “flourished for centuries before Columbus arrived, and which continue on this day.”³

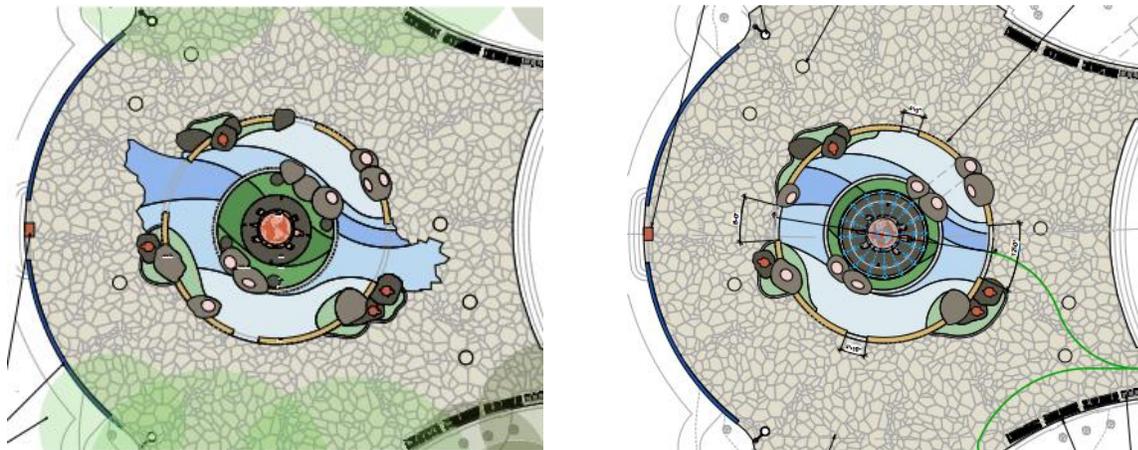
The proposed design intends to represent the Indigenous creation story depicting Turtle Island (Figure 1). The current design, which was revised to respond to comments provided by the Berkeley Landmarks Preservation Commission (LPC) in December 2022, includes removing one instead of two of the three existing upper fountain cascades, thereby retaining more the historic fountain material and installing a large sculpture of a freshwater turtle at the center of the remaining fountain (Figure 2). The turtle will sit atop a large, rough-edge polished stone, and will feature a time capsule within. Instead of evoking water solely through plantings and the installation of blue glass top-seeded concrete as previously proposed, the fountain’s historic water feature will be reintroduced. A new fountain system to emit the largest amount of water that the system will permit will be installed. Water will flow outward from the center of the fountain and cascade over the top concentric ring to the ring below, which will be planted with low groundcover massing, evoking water around the turtle.

Figure 1 Proposed Turtle Island Monument Design



³ City of Berkeley Proclamation, Dedicating the Site for the Turtle Island Monument, 1992.

Figure 2 Turtle Island Monument, Previous Design (left) and Current Design (right)



The existing walls of the fountain’s reflecting pool, or basin rim, will be largely retained, but modified with four openings. The proposed width of the openings has been reduced from the previous design and will include two narrow openings at the north and south and larger openings at the east and west, providing pedestrian and accessible entries to allow visitors to experience the monument up close. The design has been further updated to retain the footprint of the reflecting pool wall, to clearly indicate its historic location.

The reflecting pool wall’s simple concrete exterior will be fundamentally retained. It will receive a wood seatwall, but its proposed placement has been revised from the previously proposed design to be flush with the exterior wall, thereby avoiding adding a new horizontal dimension to the fountain and casting a shadow. Decorative boulders and stones will be installed within and at the perimeter of the fountain, though the number of boulders and stones proposed have been reduced from the previous design. Boulders, measuring 2’-6” to 4’ high will be installed at intervals along the proposed seatwall and at the lower concentric ring of the fountain. Several of the boulders will include embedded mosaic tribal medallions. Lower stones, measuring six to 18” high will be installed at the perimeter of the reflecting pool wall and at proposed planting beds to be installed at grade. Four of the stones will include mounted bronze loggerhead oceanic turtle artwork. The irregular shaped planting beds proposed at grade will be bordered by four inch curbs and will be planted with low grasses or groundcover to further evoke water.

The interior of the basin portion of the fountain will be paved with blue glass top-seeded concrete, applied in a curved pattern to represent flowing water. The paving, which was previously proposed to expend beyond the wall of the existing reflecting pool walls, will be contained to the interior of the fountain. The flagstone paving will be replaced in kind and uneven surfaces will be corrected to allow for improved accessibility. Six blank medallions will be installed within the renovated flagstone, representing tribes no longer on Turtle Island. Other existing elements of the fountain terrace, like the Peace Wall, historic benches, and the tree canopy will be retained and repaired, where necessary.

Historical Resource Status

As outlined in the 1997 City of Berkeley Landmark application, the Martin Luther King Junior Civic Center Park is significant for its architectural, cultural, and historic significance. The result of a decades long campaign and the success of a subsequent bond measure, the park’s design reflects concepts of the City



Beautiful movement, which aimed to establish beautiful public spaces. Set between four important civic buildings – City Hall, Farm Credit Building, Veteran’s Memorial Building, and the Community Theatre it was designed as a cooperative effort of notable architects Bernard Maybeck, Julia Morgan, Henry Gutterson, and landscape architect John Gregg. Features of its original design include its symmetrical plan, open lawn space, paved pathways, fountain terrace, Christmas tree terrace, and trees and plantings. It is also significant for its expression of Art Deco Moderne design, as reflected in the fountain, steps, and walls. The fountain, a simple Streamline Moderne design, is purported per the Landmark nomination to be a rare surviving public fountain of its type.

In addition to its architectural significance, it is significant for its cultural history as a gathering space for a wide range of civic purposes, including rallies, protests, concerts, and holiday celebrations, among others. Other elements of its significance include its historic value, such as its association with parks projects aided by Works Progress Administration and the influence of the Golden Gate International Exposition, of which the fountain’s mechanical parts were salvaged.

As mentioned above, the Park is also a contributing resource to the Berkeley Historic Civic Center District, a National Register and Berkeley Landmark Historic District, both listed in 1998. As a National Register-listed Historic District, it is also listed in the California Register of Historical Resources. The District is significant under Criterion A for its association with the political and social development of the city and under Criterion C for its community planning and design history. Its period of significance spans from 1909 to 1950. In addition to the Park being a contributing resource to the District, the fountain is a listed contributing structure to the District, meaning that both the Park and the fountain add to the historic and/or architectural qualities for which the District is significant. The National Register nomination, of which the Park portion is heavily based on the 1997 Landmark application, echoes that the Park is a contributor because of its history as one of the last park projects of the Works Progress Administration and for its role as the place of a number of political, cultural, and other important events, including the installation of the Peace Wall. The Peace Wall was constructed to celebrate peace with the Soviet Union and Hiroshima in the 1980s. The wall was one of among the first of its type and was replicated worldwide.

The National Register nomination contends that the Park is the major contributing site of the District and embodies the distinctive characteristics of a 20th century civic center park as an expression of the City Beautiful movement. These characteristics include: a symmetrical plan; an open lawn space for public gatherings and relaxation; two raised performance spaces; the fountain; the Christmas Tree; and paved pathways, benches and trees. It also displays distinctive stylistic characteristics in the form of physical features such as the fountain, steps and walls that use Streamline Moderne design themes from the 1930s. It also notes its association with the notable designers and the Golden Gate Exposition.

Existing Conditions and Alterations

On January 31, 2023 Rincon Architectural Historian JulieAnn Murphy conducted a site visit of the property, which consisted of a visual inspection of the Park and its associated features to assess the overall condition and integrity. Field documentation included notes and digital photographs. The site visit confirmed the status of the changes to the Park as well.

The Park has undergone a number of alterations in its lifetime based on a review of archival materials and visual observation. Several changes were undertaken early in the life of the Park, with later additions following, including those that have been made since it was listed as a Berkeley Landmark and



as a contributor in the Berkeley Historic Civic Center District in 1997 and 1998, respectively. The following changes have occurred since the Park's listing:

- 1942 stairs at Christmas Tree Terrace replaced with ramps (2006)
- 1942 flagpole relocated (2006)
- 1942 park path renovated with pink concrete (2006)
- 1948 shuffleboard court at west end of park removed (2006)
- 1950 playground at west end of park removed (2006)
- 1950 fountain terrace flagstone repaired (2017)
- 1983 concrete pad at Allston and Milvia removed (2006)
- Western paved esplanade created (2006)
- Parking lot repaved (2006)
- New playground added at north side of Park (2006)
- Strawberry trees added (2015)

Most of the five major elements of the Park described in the Landmark nomination were observed including the Farm Credit Building and non-historic parking lot (Figure 3); Christmas tree terrace (Figure 4) and fountain terrace (Figure 5); grove of trees north and south of terraces; center lawn with circular path (Figure 6) and adjacent walkways (Figure 7); and the hardscape terrace at the west end of the park (Figure 8), though altered as described above.

Figure 3 East Parking Lot, View North



Figure 4 Christmas Tree Terrace, View East



Figure 5 Fountain Terrace, View Northeast



Figure 6 Center Lawn/Trees, View East



Figure 7 Surrounding Paths, View Southeast



Figure 8 West Esplanade, View North





Character-Defining Features

In order to assess potential impacts to a historical resource, the character-defining features, or those collections of physical features that are illustrative of a property's significance must be identified. These character-defining features are indispensable in a historic property's ability to convey the reasons for its historical significance. A successful rehabilitation project therefore requires the identification and sufficient retention of a historic property's character-defining features.

According to *Preservation Brief 17: Architectural Character: Identifying the Visual Aspects of Historic Buildings as an Aid to Preserving Their Character*, there is a three-step process to identifying character-defining features.⁴ Step 1 involves assessing the distinguishing physical aspects of the exterior of the building as a whole, including its setting, shape and massing, orientation, roof and roof features, projections, and openings. Step 2 looks at the building more closely—at materials, trim, secondary features, and craftsmanship. Step 3 encompasses the interior, including individual spaces, relations or sequences of spaces (floor plan), surface finishes and materials, exposed structure, and interior.

In addition to *Brief 17*, which is a useful introduction to the concept of character-defining features, *National Register Bulletin 18: How to Evaluate and Nominate Designed Historic Landscapes*, offers more nuanced guidance on evaluating historic resources like gardens, parks, battlefields, campuses, monuments, and plazas acknowledging that landscapes evolve differently than buildings.⁵ It provides that the characteristic features of a landscape will vary by type, but generally includes spatial relationships, vegetation, original property boundaries, topography, site furnishings, design intent, architectural features, and circulation systems.

The Berkeley Landmark application and the Berkeley Historic Civic Center District nomination both describe the main features of the Park, but neither provide a list of its character-defining features or detail how those main features convey the significance of the Park. A Historic Landscape Assessment (HLA) prepared by Seigel & Strain Architects, architecture + history, LLC, and PGAdesign in 2020, includes an inventory table of all of the features of the Park, with a notation if the feature is character-defining. The inventory table, though exhaustive, does not follow professional best practices for identifying character-defining features as described above, and appears to conflate identifying original material with character-defining features.

Martin Luther King Jr. Civic Center Park is significant for its architectural and design elements, including as a 20th Century realization of a City Beautiful design and its Streamline Moderne elements. Also significant for its cultural and historical associations as a gathering space for a wide range of civic purposes, its character-defining features relate to its original design and architectural elements. These include the following:

- Its axis setting and original site boundary between four major civic buildings - City Hall, Farm Credit Building, Veteran's Memorial Building, and the Community Theatre
- Generally flat topography, with a gentle slope from east to west

⁴ Lee H. Nelson, *Architectural Character: Identifying the Visual Aspects of Historic Buildings as an Aid to Preserving Their Character*, Preservation Brief No. 17. U.S. Department of the Interior, National Park Service, Technical Preservation Services.

⁵ J. Timothy Keller and Genevieve P. Keller, *How to Evaluate and Nominate Designed Historic Landscapes*, National Register Bulletin 18. U.S. Department of the Interior, National Park Service, Interagency Resource Division.



- Spatial organization of four primary spaces – Christmas tree terrace, fountain terrace, circular lawn, and western esplanade
- Original trees including those that encircle the fountain terrace and the Giant Sequoia at the east end of the Park in addition to original Redwood, Cedar, Camphor, and Holly trees throughout the Park
- Original pedestrian circulation of narrow sidewalks at the Park perimeter with wide walkways and paths within the Park, including those that encircle the circular lawn
- Original park furnishings, including extant concrete and slat benches, the flagpole, and hanging acorn light fixtures
- Streamline Moderne Fountain

Additional Considerations

In July 1990, representatives from 120 Indian nations from every part of the Americas met in Quito, Ecuador in the First Continental Conference on the 500 Years of Indian Resistance. After the conference, participants agreed to organize in their communities. A subsequent conference in the San Francisco Bay Area in the Fall of 1990 organized Resistance 500, a broad coalition to coordinate activities for the Quincentenary. At the request of the Berkeley committee of Resistance 500, the Berkeley City Council set up the Berkeley Resistance 500 Task Force in May 1991 to make recommendations regarding the Quincentenary planning. In October 1991, the Berkeley City Council adopted a proposal from the Resistance 500 Task Force that included the construction of a monument and time capsule to enhance the understanding of peace the promotion of justice among indigenous and non-indigenous people. The Task Force presented their proposal for the Turtle Island Monument to be erected with the Peace Wall circle at Martin Luther King Jr. Civic Center Park to the Civic Arts Commission and the LPC in 1992, who both voted to support the project. At that time, the monument design was described as follows:

The monument will have a round base of granite with entry from the east. In the center of the circle will be a bronze turtle with Turtle Island on the shell (Kerch and South America). Around Turtle Island will be a circle of water representing the oceans. When the monument is approached from the east, the visitor will see Turtle Island from across the water. The base between the Turtle shell and the water's edge will be covered with round tiles with names of Indigenous nations and people engraved on them. Many of the tiles will be blank, to represent the people who are no longer with us, languages that are not heard anymore, and nations that have ceased to exist since 1492.

In July 1992, Berkeley City Council voted to approve the recommendation to create the monument. In October 1992, the City of Berkeley was the first city in the United States to recognize Indigenous Peoples Day, with a celebration in the Park. In 1992, LPC generally supported the idea of the monument, including alterations to the existing fountain, but provided the provision that the design should be developed in a way which respects the surrounding historical environment (though the Park had not been landmarked at that time) and commented favorably on the rendering of the proposed alterations to the fountain, but asked that a more detailed drawing with specifications be submitted before approval.

The National Register nomination and the Berkeley Landmark application were prepared and adopted after the acknowledgement of Indigenous Peoples Day, and the approval to construct the Turtle Island Monument in the Park. The 1997 Landmark application mentions the plans for the monument, noting

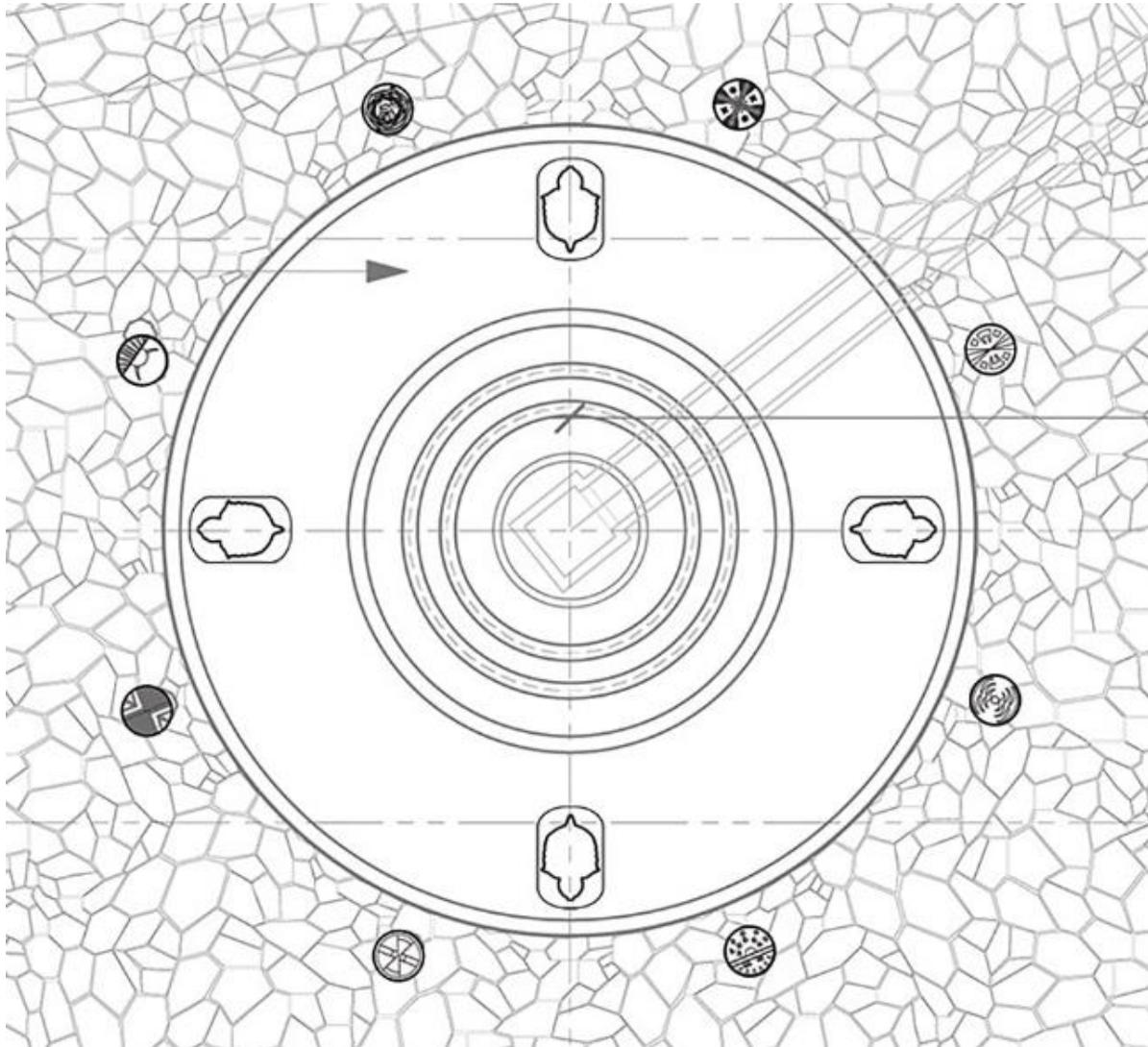
that it had been endorsed in concept and that the design would include “a large bronze turtle, with a map of Americas on its back, form the centerpiece of the space...water flowing outwards from the center would wash over stone medallions with the names of native people on them; some medallions would be left blank, to symbolize those peoples whom little or no memory is left” (Berkeley 1997). The application continues to describe how the design was revised to incorporate some of the concentric ring arrangement in the current fountain, and reduce the size of the position to the center terrace rather than the entire terrace space (Figure 9). Water would flow outwards and “pathways would lead inward, representing the migration of peoples to the Americas across the surrounding oceans” (Berkeley 1997). The application continues describing the park’s recent uses for cultural and social events, including mention of Indigenous Peoples Day (Berkeley 1997).

Figure 9 1993 Lee Sprague Revised Design for Turtle Island Monument



In January 2002, LPC approved an alteration permit for Civic Center Park. (Figure 10). The design included four smaller sea turtles to be located within the existing fountain footprint. This design appears to have been a complete deviation from the original design vision, and done without tribal representation or tribal input. In 2003, there was a nationwide call for artwork to be incorporated into the fountain. In 2005, the Civic Arts Commission approved Scott Parson of Sioux Falls to create four bronze turtles into the fountain. The four oceanic turtles do not represent the single freshwater turtle that is central to the Turtle Island creation story. Nonetheless, four bronze loggerhead turtles were commissioned in 2006, and are currently on display in Berkeley City Hall.

Figure 10 2002 Turtle Island Monument Design



In December 2018, the project was referred to City Council as part of the effort to revitalize the fountain. No monument has been built to date. In October 2022 the City adopted a Land Acknowledgement Statement that recognizes that the community was built on the territory of xučyun, the ancestral and unceded land of the Chochenyo-speaking Ohlone people, and seeks to honor the original inhabitants of these lands. The current design is a culmination of all the previous efforts to establish a monument in the Park and has been arrived at through a cooperative effort between the City and its stakeholders, including the Indigenous Community.

Project Impacts Analysis

The following project impacts analysis considers potential impacts to Martin Luther King Jr. Civic Park as defined by CEQA and the BMC. CEQA Section 21084.1 requires a lead agency determine whether a project may have a significant effect on the environment, which includes historical resources. Impacts to a historical resource occurs when there is a substantial adverse change in the significance of a resource



such that it is materially impaired. Substantial adverse change includes demolition, destruction, relocation, or alteration such that the significance of an historical resource would be impaired, per CEQA Guidelines Section 15064.5 (b)(1). Material impairment is defined as demolition or alteration “in an adverse manner [of] those characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in, the California Register.”⁶ Under Section 10564.5 of the CEQA Guidelines, a project that is found to conform with the Secretary of the Treatment of Historic Properties (Standards) is generally found to not result in significant impacts to historic resources under CEQA.⁷

BMC 3.24.260 also establishes review standards and criteria for permit applications for work on Landmark sites such as Martin Luther King Jr. Civic Park. Pursuant to 3.24.260(C)(1)(a), “the proposed work shall not adversely affect the exterior architectural features of the landmark and, where specified in the designation for a publicly owned landmark, its major interior architectural features; nor shall the proposed work adversely affect the special character or special historical, architectural or aesthetic interest or value of the landmark and its site, as viewed both in themselves and in their setting.”

The proposed project would result in the alteration of the fountain through the proposed removal of one of the fountain’s concentric rings and portions of the reflecting pool walls, and through the addition of the bronze turtle figures, decorative boulders and stones, the seat wall, blue glass top-seeded concrete paving at the basin interior, and planting beds at grade. As discussed above, the fountain has been identified as one of many of the character-defining features of the Park.

The proposed removal of historic materials is not consistent with Standards 2 and 5, which state that the removal of historic materials should be avoided and that distinctive materials that characterize the property should be preserved. Similarly, the proposed additions to the fountain are not fully consistent with Standard 9, which states that new additions to a historic resource should not destroy historic materials. Despite the proposed changes to the fountain, the proposed project would be consistent with other applicable Standards. For the example, the Park and fountain would continue to be used as it was historically, and proposed work would not result in changes to its spatial relationships (Standard 1). The proposed changes to the fountain do not seek to introduce a false sense of historic development to the Park and the new work will be clearly differentiated from the old (Standards 3 and 9). Several features of the new addition to the fountain including the seatwall, blue glass top-seeded concrete paving, and decorative boulders could be removed in the future while retaining the essential form of the Park (Standard 10). Deteriorated materials like the flagstone paving will be replaced in kind and historic benches will be repaired rather than replaced, also consistent with the Standard 6.

Although the alteration of the character-defining features should typically be avoided, their alteration does not automatically amount to a substantial adverse change causing material impairment. Rather, pursuant to Section 15064.5(b) of the CEQA Guidelines, material impairment of a historical resource occurs when a property is altered such that it is no longer able to convey its historical significance. The fountain is one of but many other character-defining features of the Park as described above. The proposed project does not propose to change any of the Park’s other character-defining features. The

⁶ CEQA Guidelines Section 15064.5[b][2][A].

⁷ Anne E. Grimmer, *The Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, & Reconstructing Historic Buildings*, U.S. Department of the Interior, National Park Service, 2017.



Park’s original setting; topography, including its relation to Strawberry Creek; spatial organization; primary spaces; pedestrian circulation; and furnishings will be retained and will not be altered as part of this project. Additionally, several other extant original features of the Park, that though not character-defining, collectively contribute to its significance will also be retained, including walls, stairs, and various plantings. As a result, even with the proposed changes to the fountain as designed, the Park would still retain the remainder of its character-defining features and continue to successfully convey its historic significance. Furthermore, the proposed work would not adversely affect the special character or special historical, architectural or aesthetic interest or value of the landmark and its site necessary for its continued listing as a historical resource as defined by BMC 3.24.260.

The Park would retain sufficient integrity to convey its historic significance. Its integrity of location and setting would be retained, as it would remain at the axis of four major civic buildings. It would retain integrity of design as reflected in its four primary spaces – Christmas tree terrace, fountain terrace, circular lawn, and western esplanade. Despite proposed changes to the fountain, the Park would retain sufficient integrity of materials and workmanship to convey its significance including a number of its original trees, original pedestrian circulation, and original park furnishings. Finally, the Park would continue to convey its feeling and association, through its maintained urban setting and its continued use as a public recreation and gathering space. The proposed project would not result in a substantial adverse change and it would retain its architectural, cultural, and historic identity for which it is significant and would result in a **less than significant impact to historical resources** pursuant to CEQA.

Conclusions

As detailed above, though the proposed project does include modifications to a character-defining feature of the Park that are inconsistent with some aspects of the Standards, it will not result in a substantial adverse change as defined by CEQA and the BMC. Martin Luther King Jr. Civic Center Park will continue to convey its architectural, cultural, and historic significance and will retain sufficient integrity to continue to be eligible for listing as a Berkeley Landmark, and as a contributor to the National Register and Berkeley Landmark-listed Berkeley Historic Civic Center District. The proposed project would, therefore, result in a less than significant impact to historical resources as defined in Section 10564.5 of the CEQA Guidelines. Should you have any questions or comments regarding this report, please do not hesitate to contact me at 925-326-1159, or jmurphy@rinconconsultants.com.

Sincerely,

Rincon Consultants, Inc.

JulieAnn Murphy
Architectural Historian Project Manager

Steven Treffers, M.H.P.
Architectural Historian Program Manager

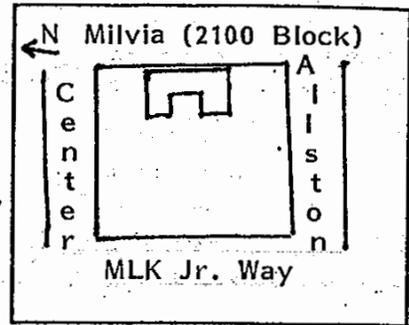


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CITY OF BERKELEY
Ordinance #4694 N.S.
LANDMARK APPLICATION



1. Street Address: City block, adjacent to 2100 block of Milvia.

County: Alameda City: Berkeley Zip: 94704

2. Assessor's Parcel Number: Block 2021 Lot 00200

Dimensions: _____ X _____

Cross Street: Milvia/Center

Indicate in box above: location of cross streets in relation to property, north arrow

3. Is property on any survey? No _____ Neighborhood Downtown Urban Conservation Survey, 1977
State Inventory _____ National Register _____

4. Application for Landmark includes:

- a. Building(s) XX Garden(s) XX Other Feature(s) Public Fountain, paths
- b. Landscape or Open Space XX Natural _____ Designed XX Other _____
- c. Historic Site _____ d. District _____
- e. Other _____

5. Historic Name of Property: Civic Center Park, Civic Center Plaza, Provo Park
Commonly Known Name: Martin Luther King Jr. Park

6. Date of Construction: 1940-1942 a. Factual YES b. Approximate _____

Source of Information: City records, newspaper accounts of the time.
City of Berkeley Henry Gutterson, John Gregg, Julia

7. Builder: Federal Works Progress Admin. Architect: Morgan, Bernard Maybeck

8. Style: Primarily in Streamline Deco, with "City Beautiful" planning influences.

9. Original Owner: various private parcels, then City of Berkeley Original Use: private commercial and residential properties, vacant lots.

10. Present Owner: City of Berkeley Address: adjacent to 2180 Milvia.

Present Occupant: People of Berkeley.

11. Present Use: Residential: _____ Single-Family _____ Duplex _____ Multiple _____
Commercial: _____ Office _____ Store _____ Industrial: _____ Hotel _____
Institutional: XX School XX Hospital _____ Other XX public park, and open spa adjacent to public school

Current Zoning Status: _____ Adjacent Property Zoning: _____

12. Present Condition of Property:

Exterior: Excellent _____ Good _____ Fair _____ Poor _____
Interior: Excellent _____ Good _____ Fair _____ Poor _____
Grounds: Excellent _____ Good XX Fair XX Poor _____

Landmark Application Page 2

13. Description: (Briefly describe the appearance of the proposed landmark. Include notable features and landscaping.)

PLEASE SEE ATTACHMENT

14. History: (Summarize the facts concerning the origins or construction of the proposed landmark, persons and events associated with it.)

PLEASE SEE ATTACHMENT

15. Significance: PLEASE SEE ATTACHMENT FOR FULL SUMMARY.

Rare surviving example of streamline deco park design and public fountain; association with four of Berkeley's most prominent architects and designers (Morgan, Maybeck, Gutterson, Gregg); centerpiece of Berkeley Civic Center, and Berkeley's only civic center park space; associations with City Beautiful municipal improvement movement; associations with Golden Gate International Exposition (Treasure Island, 1939-40) both in terms of design inspiration and specific features; association with Works Progress Administration; one of two surviving municipal public fountains in Berkeley.

Historic Value: National: _____ State _____ County XX City XX Neighborhood XX
Architectural Value: National _____ State _____ County XX City XX Neighborhood XX

16. Is the property endangered? Yes XX No _____ Explain, if Yes _____
Please see attachment supplement.

17. Photograph(s) or copies of photographs: will be provided as supplement to application, to be submitted in October, 1997, prior to public hearing.

Contemporary _____ Date: _____ Historic _____ Date: _____
Photographer: _____ Photographer: _____
Repository: _____ Repository: _____

18. Bibliography: included in endnotes/citations of attachment

Published Sources: newspaper accounts Public Records: city of berkeley
Interviews: yes Other: BAHA archives

19. Recorder: Name Steven Finacom, Linda Perry, Gail Keleman Date: August 27, 1997
Address: (Finacom) 2308 Russell, Berkeley, California, 94705 Phone: (510) 845-3203
Organization? _____ Name: _____
Address: _____ Phone: _____

LANDMARK APPLICATION SUPPLEMENT

- DESCRIPTION, HISTORY, AND SIGNIFICANCE •

BERKELEY'S CIVIC CENTER PARK

Draft for Commission
August 27, 1997

CIVIC CENTER PARK, LANDMARK APPLICATION

Supplement to Landmark Application Form, Question #16
"Is the Property Endangered?"

Answer: Yes.

The property is endangered for any or all of the following reasons:

- a. possible proposed expansion of adjacent civic center building into park space, affecting historic park elements and the historic visual relationship of the park space and the old "Farm Credit Building";
- b. possible renovations/improvements to the park space not sympathetic to the original design and character of the park. These include, but might not be limited to, removal of trees, plantings, major alterations to planting scheme, and removal of elements of the historic fountain;
- c. possible destruction of park features and replacement with underground parking garage and "new" park space on top. This concept has been proposed numerous times in recent years. It is not currently an active proposal, but could be revived at any point, particularly in connection with nearby development seeking parking;
- d. development on surrounding properties that might compromise the character of the park as the centerpiece of a unified Civic Center;
- e. limited maintenance, resulting in further deterioration of significant original park features and fixtures, and absence of a historically-informed master plan to guide upkeep, use, restoration and replacement of park features and plantings.

To interpret and evaluate this application, the following should be understood:

(1) **Names.** The formal name of the park being nominated for landmark status is Martin Luther King, Jr. Park. It has also been known as "Civic Center Park" and "Provo Park". Although the name has changed, formally and informally, over the years, for consistency the text of the application generally refers simply to "the park" or "civic center park" (lower case).

In addition, the formal name of "new" City Hall at 2180 Milvia Street is the Martin Luther King, Jr. Civic Center building. This was built as, and originally known as, the "Farm Credit Building", and is referred to as such (or occasionally as "2180 Milvia") throughout the historic sections of the text.

(2) **Status of Research.** Research on the park and its history is ongoing. Further research will focus on identifying specific dates (to replace inferred or general dates mentioned in the text), and add additional facts, photographs, and details to the history of the park and its planning and use. Copies of an array of historic photographs will be provided as a supplement before the October, 1997, Landmarks Commission meeting.

(3) **Features of the Park, and Significance.** The last section summarizes features of the park that are original, original features that have been removed or altered, and features that have been added since the original design.

The Significance section identifies several surviving original features as important to the landmark character of the park, but does not attempt to distinguish the significance of, or choose between, features that have been added, including the Peace Wall.

DESCRIPTION

(This section provides a general description of the current park. A detailed description, accompanied by a map and current photographs, will be completed prior to the October, 1997, Landmarks Commission meeting.)

Berkeley civic center park occupies most of a rectangular block in Downtown Berkeley. It shares the block with one major building structure, the old Farm Credit Building at 2180 Milvia Street (now the Martin Luther King Jr. Civic Center Building). Although the Farm Credit Building was constructed separately from the park, it was intentionally designed with a major western facade and entrance that faces into and compliments the park space, and small strips of open space (now devoted to lawn) wrap around the building on the north and south. These should properly be regarded as part of the park, not simply landscaping for the building, although they are currently and unfortunately separated from the park by a fence and non-contributing strip parking lot.

The site is a relatively flat space, sloping gently to the west. Much of it overlays the historic channel of Strawberry Creek, which old maps identify as cutting diagonally across the park space from the northeast corner to the western end. Although the creek has been culverted underground for decades, evidence of it remains on the surface, in the form of some slight slumps or depressions in the park surface over the creek route, trees that appear to be more vigorous over the former creek bed, and occasional catastrophic collapses of the creek culvert which have been repaired by surface excavation and new fill.

The current character and setting of the park is composed of six major elements. Starting from the east, these are:

(1) Farm Credit Building and non-historic parking lot. The building forms a monumental built feature of the block, and is bordered on the west by a narrow asphalt parking lot which separates it from the active park space; a non-historic chain link fence and hedge now separate the parking from park

along the entire eastern border of the park; while it is not possible to pass through on foot, these features are low enough that the average pedestrian can see over them. A major staircase, two stair towers that are both functional and decorative, and a courtyard face to the west from the "U" shaped building.

(2) Old "Christmas Tree Terrace" and Fountain Terrace. These two hardscape features of the park together form a "key" shaped element with the point towards the courtyard/steps of the Farm Credit Building and fountain terrace forming the rounded opposite end further west. The empty fountain is composed of an inner concrete cylinder; two descending, lipped circular concrete walls; a lower, inner pool; a larger outer pool, some 50 feet in diameter. The entire structure is currently dry, and mechanical features have been removed, for the most part. Trash and rainwater collect in portions of the basins. Mechanical equipment and service access is concealed in a tunnel that runs from beneath the center of the fountain northeast to a wooden hatch set in a concrete box outside the fountain terrace; this feature was clearly designed to minimize and hide the mechanical functionings of the fountain.

The fountain itself is surrounded by a flagstone terrace which, in turn, is bordered by a concrete and tiled wall pierced with openings at regular intervals. Most of this outer wall has been redesigned and rebuilt as Berkeley's "Peace Wall", a concrete structure covered with colored tile; the location and style of the Peace Wall is similar to the original perimeter wall, but not identical. Eight massive and flourishing Lombardy Poplar trees symmetrically ring the Peace Wall/Fountain terrace.

To the east of the fountain terrace the "Christmas Tree Terrace" is a rectangular plot without flagstones. A healthy, symmetrical Sequoia Gigantia original to the park plantings is the symbolic and visual focus of this space.

(3) To the north and south of the Christmas Tree and Fountain terraces are groves of tall trees, including a number of specimens from the original park planting. A number of Coastal Redwoods (*sequoia sempervirens*), and

Deodar Cedars are the predominant trees in these areas, along with some Magnolias. These groves aid in the visual transition from the tall mass of the Farm Credit Building to the east, to the lower, landscaped spaces of the park to the west. The trees are tall enough that one can largely see through the groves from side to side of the park, beneath the tree canopy. A single small structure, one of the two original bathrooms of the park is found in the southern grove. It is made of concrete, and was converted in the early 1980's to a gardening storage shed for the park maintenance staff; the corresponding bathroom on the north was demolished at the same time.

(4) In the west/center of the park a wide lawn area, ringed by a roughly circular path, defines the central space west of the Fountain Terrace. North and south of this lawn a double row of concrete walks (narrow sidewalks along the street curbs, and a wider sidewalk set about 25 feet inside the park) provide a hardscape connection between western and eastern ends of the park. The broad lawn area between the walks on either side is planted with a row of trees. Camphors were used in the original composition and many remain, but those that have been removed have been replaced with magnolias.

(5) At the western end of the park a broad, roughly rectangular hardscape terrace partially bordered with low chain-link fences and hedges, as well as additional plantings of camphors, forms a final transitional element between the park spaces and Martin Luther King Jr. Way, a busy arterial street running north/south. Within this hardscape area is a children's play area (location historic, current fixtures non-historic), and a paved area for shuffleboard courts.

The park is physically and visually bordered on the north by Center Street and a row of private and civic buildings that generally step down from east to west. From the intersection of Miliva and Center to the intersection of MLK Way and Center these include two private office buildings, the Veteran's Memorial Building, a private apartment house, wood-frame with a stucco facade, and a PG&E office building with adjacent parking lot.

On the south, the park is bordered by Allston Way and, on the further curb, buildings associated with Berkeley High School, including the Community Theatre and Little Theatre. On the west, the Park faces "old" City Hall across Martin Luther King Jr. Way.

HISTORY & SIGNIFICANCE

Introduction

Berkeley's Martin Luther King Jr. Park (formerly Civic Center Park, or Plaza) is a municipal treasure with extensive architectural, cultural, and historic significance.

The completion of this park capped more than three decades of efforts to create a formal open space in Berkeley's civic core, showcasing and unifying surrounding public buildings and providing a public heart to the Downtown.

The design character of the park reflects both the styles and aspirations of the "City Beautiful" movement and the Art Deco period. The design was also influenced by, and recalls elements of, the 1939/40 Golden Gate International Exposition on Treasure Island, one of the significant moments of Bay Area cultural history.

Two architects with enduring national reputations--Julia Morgan, and Bernard Maybeck--participated in the design of the park, along with a third architect (Henry Gutterson) and a landscape architect (John Gregg), both of whom have substantial regional significance.

In addition to the hardscape features of the park, a remarkable amount of the original landscaping of the park survives, showcasing a landscape concept of mid-century conceived by these noted designers and City Parks staff.

In the 55 years since it was dedicated, most of the physical character of the original park design has remained intact, and a broad array of cultural and other events have taken place at the park enriching the physical space with social and historical associations.

Significance

Martin Luther King Jr. Park is significant for:

- its role in connecting and unifying a surrounding ensemble of Beaux Arts and Art Deco/Moderne public buildings including "old" City Hall, the Veteran's Memorial Building, the Martin Luther King, Jr. Civic Center Building, Berkeley High School (including the Community Theatre), the Downtown YMCA, and the main Post Office;
- the fact that its acquisition and construction culminated and completed more than three decades of planning for, and attempts to achieve, a Berkeley Civic Center of public buildings formally arranged around a central plaza/park. The Civic Center complex is the only one Berkeley has created and is regarded as a civic centerpiece in plans for the future of Downtown;
- its expression of the "City Beautiful" design movement, and subsequent efforts during the first four decades of the 20th century to establish good public parks and buildings not only as a way to beautify communities but as a means of fostering public-minded behavior and good citizenship;
- its character as a largely intact landscape creation using "streamline Deco" design themes from the 1930's, and the presence in the park of a rare surviving public fountain in the same design style;
- its use, over half a century, for a wide range of civic purposes including celebrations, rallies, protest events, fairs, holiday celebrations, concerts and demonstrations, and its long-standing significance and intended use as a place for city-wide gatherings and events of importance;
- the association of its design with an array of both locally and nationally distinguished architects and designers, including Henry Gutterson, Bernard Maybeck, Julia Morgan, John Gregg. Landscape Architect Lawrence Halprin was also employed to prepare a Master Plan to revise the design of the park, although no large alterations appear to have been made.

It is arguable that no other single feature or facility in Berkeley combines historic associations with such a distinguished group of architects and designers;

- its association with the Works Progress Administration as one of the last park projects undertaken by that "New Deal" / Depression-era program;

- its association with the 1939/40 Golden Gate International Exposition on Treasure Island through its Art Deco design and landscape elements, including the central fountain, which are similar to and reminiscent of, the architecture of the Exposition. The Exposition was an important and meaningful event to the Berkeley community; design elements of civic center park are most likely among the last tangible expressions of the Exposition surviving outside Treasure Island;

- the large number of original design features which remain either intact or repairable, including:

- a) the central lawn and arrangement of formal perimeter pathways and walkways;

- b) the fountain, including its three upper cascades, reflecting pool, surrounding flagstone terrace, and the element of a low wall surrounding a portion of the terrace (although the existing wall is not original)

- c) the adjacent "Christmas tree terrace" forming a formal approach from the fountain to the west facade of the 2180 Milvia building, and its central Giant Sequoia;

- d) many of the original trees and plantings, including in particular redwoods and poplars adjacent to the fountain terrace, and camphors on the perimeter of the park, and the giant sequoia east of the fountain;

- e) the concrete restroom structure southeast of the fountain terrace, one of two original restrooms for the park;

- f) the memorial flag pole near the west end of the park;
- g) a number of apparently original benches.

Before The Park

The Berkeley Civic Center area was originally open land between the small unincorporated township of "Berkeley" to the east, near the University's predecessor, the College of California campus, and the manufacturing village of "Oceanview" on the Bay waterfront, to the west. In the 1870's landowner Francis Kittredge Shattuck succeeded in attracting a railroad line through his property. (along the street that carried his name) and the Downtown Berkeley business district began to emerge.

In 1878, efforts to incorporate Berkeley as a city succeeded, in part to prevent then-expansionist Oakland from annexing the unincorporated Berkeley community. Berkeley's incorporation was an uneasy three-way union between the two established, but dissimilar, residential neighborhoods and local farmers who owned much of the undeveloped land in between. Political divisions between the ethnically, culturally, and economically different eastern and western portions of the new town resulted in an ongoing struggle over the location of a town hall. *"...neither East nor West Berkeley wanted to have it so far away that watch could not be kept on citizens whose virtue had been sullied by acceptance of political office. For several years the Town Trustees avoided a confrontation on this subject by renting quarters here and there."* (1)

Finally, a wooden building to serve as a "permanent" hall was built at Sacramento Street and University Avenue on land the City purchased. Later, there was agreement to move to a new lot on the western edge of Downtown, at Allston and Grove (now Martin Luther King, Jr. Way). The existing building was dragged up University Avenue to the new lot in 1899. In 1904 the wooden building burned. A new City Hall--the current "old" City Hall used for School District Offices--was designed for the same site by Bakewell and Brown, and completed and occupied in 1909. (2)

The original buildings of Berkeley High School already stood at Allston and Grove on the southeast corner, combining with the new City Hall to create an embryonic civic center. To the east, Downtown Berkeley was well established as a transportation hub and shopping and banking district. However the area around--and now occupied by--Civic Center park remained scattered private homes, small industrial and commercial buildings, and vacant lots, instead of the complete set of public buildings and spaces associated with it today. This remained the case until the early 1940's and the creation of the park, although the Veteran's Memorial Building added on the north side of Center Street, facing the block, provided a third civic facility fronting the future park space.

Planning for A Civic Center

Active consideration of turning the area into a formal park was underway soon after the turn of the century. A "Report on a City Plan for Oakland and Berkeley", prepared by city planner Werner Hegemann in 1915, envisioned an elaborate park space covering the entire block, surrounded by a physically and stylistically unified set of civic buildings. (In Hegemann's plan these were shown in a Beaux Arts style, popular at the time. If this plan had been fully developed, civic center would be ringed with colonnaded buildings reminiscent of the Main Berkeley Post Office).

Hegemann's plan was never carried out, but it did have the effect of discouraging private development on the block. "Because the city was known to be interested, the block never developed beyond a lumberyard, a few garages, and a single three-story apartment building." (3). In 1918, Berkeley's Parks Commission advised the City Council as follows: "*recognizing the great desirability of the city possessing a piece of land in the heart of Berkeley which may be developed and used for park and civic center purposes, the Parks Commission at its regular meeting November 27 unanimously adopted a resolution supporting any movement which may be started to acquire such property as is bounded by Grove, Allson, Milvia and Center Streets, which is ideally situated and which can be (copy illegible--need to check original)*" (4).

There were subsequent studies in 1925 and 1928; "all recommended that the

Civic Center Park NOD

page two

WHEREAS, many of the Park's original historic elements remain in tact, including but not limited to those items listed in the Landmark Application; and

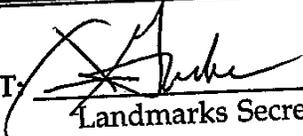
WHEREAS, a public hearing has been duly and regularly held upon the above property and the Landmarks Preservation Commission, being fully advised, has voted to DESIGNATE the Martin Luther King, Jr. Civic Center Park a City of Berkeley Landmark;

NOW, THEREFORE, BE it Resolved by the Landmarks Preservation Commission of the City of Berkeley that the decision is deemed final unless it is reversed, upon appeal, by the Council of the City of Berkeley.

VOTE: Aye: Chase, Edwards, Emmington, Hansen, Kehlmann, March, Miller,
O'Malley;
Nay: none

DATE NOTICE MAILED: 11-18-97 THE APPEAL PERIOD EXPIRES AT 5
PM: 12-3-97 File Appeal With City Clerk By This Date.

cc: City Clerk, Applicant
Property Owner, Neighbors

ATTEST: 
Landmarks Secretary

APPEAL THIS MATTER:

To appeal the decision of the Landmarks Preservation Commission to the City Council you must submit a letter specifying the reasons for the appeal to the City Clerk, prior to 5:00 p.m. of the "APPEAL PERIOD EXPIRATION" date shown on this NOTICE, with the required fee (The fee for applicants is \$403.00; All others \$48.00). The appeal procedure must be in accordance with Section 3.24.300 of the Landmarks Preservation Ordinance. The City Clerk's Department is located on the first floor of the Martin Luther King, Jr. Civic Center, at 2180 Milvia Street, Berkeley, CA 94704; Phone (510) 644-6480.

LEGAL LIMITATIONS:

If you object to this project or any city action or procedure relating to this project application, any lawsuit which you may later file may be limited to those issues raised by you or someone else in the Public Hearing on this project or in written communications presented at or prior to the Public Hearing. The time limit within

City of Berkeley



Landmarks Preservation Commission
Current Planning Division
2120 Milvia Street
Berkeley, California 94704

NOTICE OF DECISION

FOR MEETING OF: November 3, 1997

PROPERTY ADDRESS: Martin Luther King, Jr. Civic Center Park (bounded by Allston Way, Martin Luther King, Jr. Way, Center Street and 2180 Milvia Street)

Also Known As: Provo Park

OWNERS OF PROPERTY: City of Berkeley

APPLICANT: Landmarks Preservation Commission

WHEREAS, the Martin Luther King, Jr. Civic Center Park ("the Park"), dedicated in 1942, was and remains a defining element of the Civic Center District and historic downtown Berkeley; and

WHEREAS, the design of the Park layout, landscaping and fountain was associated with and expressed ideas of the "City Beautiful" design movement, "streamline Deco" style, Works Progress Administration and the 1939-40 Golden Gate International Exposition on Treasure Island; and

WHEREAS, the Park has been the site of numerous cultural and civic events of importance to Berkeley's history; and

WHEREAS, the Landmarks Preservation Commission has received a detailed application recording the historical significance of the Park, amended to include the story of the Peace Wall—a recent addition which has gained cultural significance in its own right; and

- (49) Halprin, page 10.
- (50) Halprin, pages 8-9.
- (51) Halprin cover letter to City Manager Phillips, January 13, 1964
- (52) Halprin, page 9.
- (53) Halprin, page 10.
- (54) Halprin, page 10.
- (55) Personal interviews, Carolyn Marks with Steven Finacom, August, 1997.
- (56) Berkeley resident Lee Sprague, in various presentations to the Parks and Recreation Commission subcommittee on Civic Center Park, summer, 1997.
- (57) Halprin, page 5.
- (58) Trampleasure, August, 1997.
- (59) Ward, Gazette.
- (60) Ibid.
- (61) Halprin, page 4.
- (62) Cerny, Susan, personal interview with Steven Finacom, August, 1997.

- (32) Halprin, 1964.
- (33) "Report on Berkeley Civic Center", October 4, 1960.
- (34) Ibid.
- (35) Halprin, 1964, page 5.
- (36) Berkeley Gazette, August 9, 1983.
- (37) "Report on Berkeley Civic Center", October 4, 1960.
- (38) Lee Trampleasure, personal interview with Steven Finacom, August, 1997.
- (39) Drucker, 1997.
- (40) "Report on Berkeley Civic Center", October 4, 1960.
- (41) Ibid.
- (42) City Manager's Report to Council, No 64-336, May 8, 1964)
- (43) "Report on Berkeley Civic Center", October 4, 1960.
- (44) Gazette, August 9, 1983.
- (45) Oakland Tribune or Berkeley Gazette? May 10, 1952.
- (46) April 15, 1964, memo from W.N. Kennedy, President, Planning Commission.
- (47) City Manager to Council, May 8, 1964.
- (48) Halprin, pages 1-3.

(16) "Report on Berkeley Civic Center", October 4, 1960.

(17) Ward, Gazette.

(18) Marvin, Gazette.

(19) Drucker, personal interview with Linda Perry and Steven Finacom, August, 1997.

(20) "Report on Berkeley Civic Center", October 4, 1960.

(21) Drucker, August, 1997.

(22) Ward, Gazette.

(23) Ibid.

(24) Ibid.

(25) Marvin, Gazette.

(26) Ward, Gazette.

(27) Ibid.

(28) Gregg to Council, 1918.

(29) University Architect John Galen Howard, 1903.

(30) Ward, Gazette.

(31) Halprin, Lawrence, "Report on Master Plan for Berkeley Civic Center Park", Lawrence Halprin & Associates, Landscape Architects, January, 1964. Page 4.

Endnotes/Citations

- (1) Pettit, George, Berkeley; The Town and Gown of It, Howell-North Books, Berkeley, 1973. Page 80.
- (2) Pettit, page 82.
- (3) Marvin, Betty, "Provo Deco" for the Berkeley Architectural Heritage Association in the Berkeley Gazette, October 24, 1984.
- (4) John Gregg on behalf of Parks and Recreation Commission, writing to City Council, memorandum dated November 29, 1918.
- (5) Marvin, Gazette.
- (6) City Manager's "Report on the Berkeley Civic Center", prepared by the Parks Division and dated October 4, 1960, quoting a May 2, 1940 City Manager Memorandum.
- (7) Ward, "A Birthday Present for Berkeley", Berkeley Gazette, April 29, 1942
- (8) Ibid.
- (9) Ibid.
- (10) Ibid.
- (11) "Report on Berkeley Civic Center", October 4, 1960.
- (12) Ibid.
- (13) Ibid.
- (14) Ibid.
- (15) Ward, Gazette.

Because the tree plantings are described in accounts of the park's creation and also visible in early photographs, their existence also provides a direct and historic connection to the early park. There are few places in Berkeley--public or private--where it is possible to view a largely intact landscape and know with certainty when its trees were planted.

Thus, removal or substantial alteration of the tree groves becomes a landmark issue if the park is determined to be worthy of landmark status. The park is not simply its hardscape features--the fountain, pathways, and terraces, among others--but also expresses a living legacy of its designers, through its tree plantings.

species which would grow more slowly than the Coastal Redwoods but would reach considerable height, width, and age, quite possibly becoming not only the most prominently placed, but--after several decades in the park--the most shapely and largest tree in the area.

From these choices, it can be reasonably inferred that:

(1) the designers planned for tall trees, probably to create a screen between the open park and the massive Farm Credit Building, which visually dominated the block when the park was planned. Between the building and open space, tall species were selected; further west, lower, spreading trees like camphors were emphasized.

Set between the lawn spaces of the park and the five floors of the building, the groves of tall trees would provide a transition between building and open space, frame and compliment the vertical elements and scale of the Farm Credit building in a pleasing way (particularly the stair-towers that form a narrow, vertical, composition on the park facade of the building), and soften the impact of the building on the park...an impact which would have been impressively evident in the early 1940's, when there was no landscaping or transition at all between the massive Farm Credit building and the structures to the west.

- the designers intended for the groves and the plantings to be long-lasting. Most of the species they selected were well known to have a life-span of several decades. Some--redwoods and oaks--would have a chance of surviving for centuries, if properly cared for. Only the Lombardy poplars--which are still flourishing in their sixth decade--might be viewed as having a relatively "short" life span, among the major trees planted in the park.

In sum, modern-day critics may argue with these decisions and may also propose alternative strategies--removal of trees, planting of different species--but they should not dispute the fact that a substantial number of the existing individual tree specimens, their species, and their placement, are all part of the planning context of the park and original character of the park.

The individuals who selected the trees and planned the park must have been quite aware of the character of particular species and groves of trees at maturity. One of them, Professor John Gregg, was one of the founders of the academic discipline of landscape architecture in California and the first faculty member of the Landscape Architecture Department (originally part of the College of Agriculture) at the University of California.

Among the others, while they were not landscape designers by profession, architects Henry Gutterson, Bernard Maybeck, and Julia Morgan had all designed extensively in California and were presumably quite familiar with landscape issues. Morgan was experienced in the design of large buildings and estate properties in elaborately landscaped settings, such as Hearst Castle in San Simeon where she had relocated entire mature trees; Maybeck had designed not only Wynton, a faux-castle set in an old-growth forest in Northern California, for the Hearst family, but the Palace of Fine Arts in San Francisco where he made detailed specifications for the landscaping, including placement of boxed mature trees to create an instant landscape for the Panama-Pacific Exposition.

Gutterson had participated in the planning of residential subdivisions both large (St. Francis Wood in San Francisco) and small (Rose Walk) and was skilled in the siting of buildings and arrangement of structures in relation to trees and outdoor spaces. Interestingly, a number of the homes he designed have clusters of redwoods incorporated in, or planted as, part of the landscaping. Gutterson also had a hand in designing public fountains, including one at St. Francis Wood. (62)

By specifying certain landscape plans, this group of designers appears to have intentionally determined that the open areas of the park would be screened from the Farm Credit Building (2180 Milvia) by two groves of trees, including Coastal Redwoods, that would grow quickly to substantial size and would attain considerable age.

Between these groves they consented to the placement of the "Municipal Christmas Tree", in a central position; the species selected, Sequoia Gigantia, a

Major features not part of the original design that have been added to the park.

- the tot lot at the northwest corner, and other alterations to the Martin Luther King, Jr. Way frontage;
- the parking lot that intrudes between the 2180 Milvia building and the tree and fountain terraces;
- the Peace Wall, including construction of a new wall which recalls the original perimeter of the fountain terrace, but replaces the original bare concrete surface with colored tile;
- one concrete pad and metal sculpture near the intersection of Allston and Milvia.
- a bicycle parking area, enclosed with a metal fence, north of 2180 Milvia between the building and Center Street.

An Evaluation of Tree Landscaping In the Park.

One observation that is sometimes made about the park is that the trees at the center are too dense and block views to or from the Martin Luther King Jr. Civic Center Building (2180 Milvia). It is asserted that the trees have grown too large and should be removed. Some individuals have argued in particular that the large Sequoia Gigantia directly east of the fountain terrace, and/or the Lombardy Poplars around the fountain should be removed.

Removal--or as is sometimes euphemistically stated, "thinning" or "sculpting"--of the tree groves may be something that the City decides to undertake as plans for the park space proceed.

However, it must be made clear that substantial tree removal would affect the historic character of the park space and the design intent at its creation.

- A number of Coastal redwood trees, one Giant Sequoia, several camphor trees, a number of Lombardy Poplars, and various other plantings directed connect with, and original to, the park's landscape design and, in some cases, donations from civic organizations.

Features from the original design that have been removed from the park:

- one of the two original restrooms (located northeast of the fountain terrace);
- the two side fountains on the perimeter wall of the fountain terrace, and most of the perimeter wall itself;
- perimeter plantings of ornamental shrubs and perennial and annual flowers;
- mechanical elements of the central fountain, including lights and plumbing fixtures;
- many of the original 60 permanent benches planned for the park;
- a drinking fountain between the south side of the central lawn and Allston Way, and possibly other fountains from unidentified locations;
- the arrangement of several special "electroliers" or light fixtures within the park and on the western edges of the park;
- A number of original trees. Some replaced with new plantings (typically, magnolias replacing camphors), and some areas left with open lawn.

In summary:

Features which remain from the original design and construction of the Civic Center Park.

- The Central Fountain, including three interior rings of descending height forming fountain cascades, a large, low outer ring for a pool, and a tunnel for mechanical equipment and plumbing, running from beneath the center of the fountain in a northeastern direction to a wooden hatch, flush with the ground, outside the fountain terrace.
- The general approach of having a large, low wall ringing part of the fountain terrace, although the current wall is not the original and differs in several features from the original.
- The flagstone paving of the fountain terrace.
- The roughly circular central lawn;
- Narrow sidewalks along the perimeter of the park;
- A number of benches that appear to be original (or at least replicate the original design);
- Broad pathways set into the park space, parallel to Center Street and Allston Way, and circling the central lawn;
- The "Christmas Tree Terrace", between the fountain and the 2180 Milvia building, and the Sequoia Gigantia planted in the center of the terrace;
- The flagpole, located somewhat assymmetrically near the western edge of the Park;

The original landscaping appears remarkably close to the current situation. Most of the trees currently in the park can be reliably identified from written descriptions or photographs as original to the plantings in the early 1940's. "The first tree, a redwood, was planted June 7, 1941. Since then other redwoods, oaks, Lombardy poplars, camphors, flowering trees and a large Christmas tree, *Sequoia gigantea*, have been put in, besides most of the shrubs in accordance with the landscape plan." (60)

The "Christmas Tree" is still present, along with several redwoods. Venerable Lombardy poplars ring the fountain, and mature camphors line the edges of the park. The Halprin plan makes mention of an existing "screen of cypress and poplar together with various shrubs" to the north and south of the fountain terrace; although the poplars remain, the cypresses are not in evidence, and most of the shrubs have been cleared. (61)

There are not presently any oaks in the park. Deodar cedars were not mentioned in the original plan, but were present and regarded as an important part of the eastern groves by 1960. Magnolias which are found in several locations may have been part of the original "flowering trees", or may have been a species added later to the park plan; in recent years they have been used as the species of choice to replace camphors removed from the park.

The large central lawn, ringed by pathways, still reflects its original design.

Features of the Park that are substantially unchanged from the original design.

The concrete structure of the fountain appears to have survived intact in largely original condition, although plumbing, water jets, and lighting fixtures are missing. The fountain is surmounted by a cylindrical top from which water cascaded over a curved lip into two lower rings. This whole ensemble is centered in a large, shallow, 50-foot-wide basin with a simple, low concrete wall for edging. A service tunnel leading from beneath the fountain northeast to an entrance hatch outside the fountain terrace, survives, although most of the plumbing and equipment has been removed.

The surface of the terrace around the fountain is most likely original. *"Special flagstones are being laid in the fountain area and about the Christmas Tree stage, placed against the backdrop of high trees and hedges at the upper end of the plaza, against the towering bulk of the Federal Land Bank Building on Milvia Street."* (59) Existing flagstones were noted in the Halprin report more than two decades later and--although uneven and damaged in some areas--they still remain around the fountain terrace, but have been removed around the sequoia tree.

The principal alteration to the fountain area has been on the outside wall ringing the fountain terrace. Here, the original concrete wall was demolished and replaced by a modified wall, also made of concrete, on which the tiles of the Peace Wall were mounted. Thus, the wall on the west side of the fountain and the wall on the north are not original, according to Carolina Marks, the designer and originator of the Peace Wall concept.

Two subsidiary fountains, located facing outward on the north and south sides of the wall, have been removed and their location covered by the Peace Wall. These fountains were relatively small semi-circular half-bowls, hung on the concrete wall, which apparently cascaded or dripped into larger concrete basins slightly above ground level below them. On the south side of the wall, facing Berkeley High school, one of the original lower basins appears to remain, covered with wood.

in nearby private and public buildings. And, of course, it has traditionally been used by Berkeley High School students as a retreat from the largely hardscape campus across the street, and a social gathering space.

Halprin, in his 1964 report, noted that *"...the daily activities dominating the interior of the Square are neighborhood in character, rather than of community-wide significance; and the landscaping that has grown up around these activities has tended to favor the local character and activity rather than the wider or community functions of the Civic Center as a whole."* (page 5). The report implies that the children's play area and the shuffleboard courts/elderly area were receiving considerable use, and notes that the lawn was in use "for touch football and other field sports by older children." (57)

During and subsequent to the 1960's the park played a role as a gathering space for some political demonstrations, rallies, concerts, and benefits. Berkeley native Lee Trampleasure, among others, recalls "a lot of weekend concerts", mainly featuring rock music and some Blues, in the Park during the 1960's. The musicians usually set up not on the lawn area but on the Christmas tree terrace, facing west. Spectators filled the flagstone terrace and often sat on the edge of the fountain. (58)

It was during the 60's that the term "Provo Park" first came into informal usage. Research has not yet determined the exact origin and significance of the "Provo" term, although it may be related to various political/revolutionary movements in Europe after World War II.

In recent years the park has been frequently used for various cultural, social, entertainment and fundraising events, ranging from Earth Day celebrations to outdoor dramatic performances, to an annual orchid sale whose proceeds are used to fight AIDS, and Indigenous People's Day. "City-wide" civic events such as fairs are typically held there or on the streets nearby. In the early 1990's the park was occupied by a protest homeless encampment for several months, adding to its tradition of activist use.

sed the concept of creating what is called the "Turtle Island" fountain/monument within the circuit of the Peace Wall; the endorsement was made with the understanding that private funds would be raised to construct the monument. The general concept, not an exact design, was endorsed.

The proposal was linked thematically to--and arose, in part from--efforts to recall and honor the native peoples of the Americas at the time of the 500th anniversary of the first expedition of Columbus. The plan envisioned a large bronze turtle, with a map of the Americas on its back, forming the centerpiece of the space. The use of the turtle was inspired by a recurrent theme in many Native American cultures that the world rested on the back of a giant turtle. Water flowing outwards from the center would wash over stone medallions with the names of native peoples on them; some medallions would be left blank, to symbolize those peoples of whom little or no memory is left, after the European settlement of North and South America.

In recent years the "Turtle Island" fountain design has been revised to incorporate some of the concentric ring arrangement of the current fountain, and reduce the size of the composition to the center of the terrace rather than the entire terrace space. Water would flow outwards and pathways would lead inward, representing the migration of peoples to the Americas across the surrounding oceans. In the concept of Lee Sprague, the primary designer of the fountain, the composition would be solar powered, or might even be run by gravity, using water from a re-surfaced Strawberry Creek. (56)

Park Uses

Uses of the park have been extensive and varied over the years. Photographs show formal gatherings and events, including assemblies for students who participated in school traffic guards and patrols. In the 1950's the central lawn was used for football and baseball practice, perhaps associated with Berkeley High School teams. As noted earlier, the attraction of having a children's play area in the park has a long history. The park has a long history of use as a lunch and break space during fair weather by office workers

tions, typically four tiles arranged in a square, were done as special projects by individuals or groups. The idea of the groups of tiles originated when the Russian visitors, coming to work on a section of the wall, arrived with a set of already completed tiles. A number of four-tile sections were done by groups or individuals who contributed \$200 to help fund the project in its later stages.

After permission for the wall was received from the City, the western outer wall around the fountain was demolished and replaced with a similar concrete wall, on which tiles were mounted. This first element was completed in 1988. Jesse Jackson spoke at the dedication.

The second section--the southern portion of the wall facing Berkeley High School--was completed in 1989, and is dedicated (on the Berkeley High School side) to peace with the Soviet Union, and (on the northern, fountain side) to reflections on peace related to the first use of a nuclear weapon at Hiroshima; this component of the wall is actually mounted on the original wall, and a portion of the original basin for the side fountain survives on the ground beneath. Marks says that the Soviet section of the wall came about when a documentary on the original Peace Wall was shown in the Soviet Union in the late 1980's, and a Russian woman called to say she would like to bring Soviet children to contribute to the Wall.

Finally, the northern section of the original terrace wall, on the side nearest the Veteran's Building, was demolished and replaced with a new, lower wall on which peace tiles related to the Middle East are mounted; this section is the most recent, completed about two years ago (mid-1990's).

The Peace Wall was among the first compositions of its type, and has led to similar memorials throughout the world, including one in Moscow that Marks helped developed. Theme walls on subjects other than Peace have also been inspired by the Peace Wall in Civic Center Park; the 1991 Firestorm wall at the Rockridge BART station in Oakland is an example. (55)

In 1993, the City Council and City Commissions including Landmarks endor-

Center Street by concluding, *"Finally, at a time when the future of the Downtown area is more settled than at present, a closer rapport should be brought about between the area and the civic center. Perhaps this can be done by opening up and extending the mood created in the Civic Center Square in the direction of the Downtown Center."* (54).

The Council reviewed Halprin's final recommendations on February 14, 1964. The recommendations for removal of parking was vigorously opposed by the City Manager (City Manager Report No 64-336, May 8, 1964, to City Council). Ironically, one of Halprin's recommendations--remove parking on Center Street along the edge of the park; and compensate by making the curbside parking on the north side of the street diagonal (in front of the Veteran's Building)--did come to pass, but only in partial form. The City added the diagonal parking on the north side of the block, but never removed the parking along the edge of the Park. Funding problems were also a setback for the Halprin plan and, ultimately, no significant elements of it were implemented.

- The addition of the Peace Wall to the park added another element to the design character of civic center park. The wall, which consists of tiles painted individually by volunteers (both ordinary and notable) with personal expressions and images of peace, was largely the inspiration and creation of Berkeley resident and artist, Carolyn Marks in the 1980's. (Marks credits the well-known "Do Something Today For Peace" sign on a Milvia Street fence in her neighborhood as part of the inspiration for the Wall. She had also just finished a project, with the help of friends, of hand-painted tiles for her kitchen.) The theme of a physical wall symbolizing peace reversed the historic usage of walls as fortifications in war and barriers between people. The development of the Peace Wall occurred in the same political era that the Berlin Wall--perhaps the most prominent modern expression of a physical wall of division--was dismantled, and borders and divisions between nations and peoples were being re-thought all over the world.

Altogether, the Peace Wall consists of three major sections and includes some 5,000 tiles. Most of the tiles were painted by individuals, but a number of sec-

rounding taller buildings, but allow people to see beneath them into the park. Instead of visual connections between the Farm Credit Building and the park, Halprin emphasized "the visual relation between the (old) City Hall steps and the fountain near the east end of the square" by relocating the play areas, and having a unified plaza design on either side of Grove Street. *"Textured concrete can extend from the City Hall steps across Grove Street to the edge of the Square, where the pattern is carried on in a brick entrance plaza that completes the visual linkage between the Square and the City Hall. Statuary, benches and an expanse of grass in the foreground of the view of the fountain from the City Hall steps accent the new mood which the total design achieves."* (50)

Halprin further emphasized, "we feel it an obligation to suggest that both present and future developments in the Civic Center area should come under careful and detailed design review." (51)

Finally, Halprin made a strong case for removing parking on surrounding streets. "Parking should be eliminated from the Civic Center. Ideally, it would be best if traffic could be eliminated from the Civic Center section of Grove, by having it pass beneath the present grade between the City Hall and Square. This would allow direct pedestrian linkage between the Hall and Square. However, such schemes, principally because of expense, must await a later date when relationships between the area and downtown Berkeley are more clearly defined, and also, perhaps when the time is appropriate for more radical shifts in Berkeley traffic circulation patterns. However, until such time, elimination of parking from Grove Street, Center Street, and Allston Way should be accomplished to establish a close visual connection between the Square and its surroundings." (52). The traffic section concluded with the recommendation that "to insure an intimate relationship between the Square and government offices north and south of it, nothing should be done to increase the traffic load on either Center Street or Allston Way. In fact, it would be advisable to at least occasionally close Allston Way to make sure traffic flow along the route does not increase." (53).

Halprin foreshadowed later consideration of opening Strawberry Creek down

Halprin made several specific recommendations.

He noted *"the fact that Grove Street (now Martin Luther King Jr. Way) is so heavily travelled causes an unfortunate separation between the City Hall and the Civic Square...a visual tie between the City Hall and the atmosphere can be established by redesign of the vegetative and other elements of the Square's landscape."* He proposed a change in the paving of the street to emphasize connections, and creation of a tree-lined median in the middle of the street to reduce its visual width. Tall street tree plantings *"will flank both sides of...Grove Street and also march down a grassy median strip. Thus even the motorist can briefly participate in the new mood of the Civic Center as he passes under the large shade trees and is given glimpses of the Square and the fountain."*

The fountain and its flagstone terrace and the Christmas tree terrace would be maintained and preserved in Halprin's plan, but the wall west of the fountain would be replaced with a broad staircase descending to the lawn area. *"The fountain will not be basically changed. It will be restored in such a way as to enhance the existing facility and remedy former maintenance problems. New pumping mechanisms will be installed and tile in the bottom will improve its appearance."* (49)

In the center of the park, circular lawn area would be divided into two--a smaller southern, and a larger northern--plots of grass, with straight, rather than curved, pathways linking them, and the pathways would be rearranged to allow the large spaces of lawn to come closer to the streets. The western end of the park would be opened up to Grove Street, and the children's play area and shuffleboard courts moved to the east end to flank the fountain terrace on the north and south, respectively.

To the east, the Farm Credit Building was still not City property, so Halprin simply proposed small trees along the edge of the parking lot dividing the building from the Park. Many of the mature trees around the eastern terraces were left in the plan, but Halprin proposed replacing the trees along the outer edges of the park with a double row of taller trees that would relate to the sur-

• In 1963, noted landscape architect Lawrence Halprin was engaged by the City of Berkeley to prepare a Master Site Plan for the park; this continued a process began in 1962 at the recommendation of the Recreation Commission and Civic Art Commission. While Halprin's recommendations were not put into effect, it is useful to draw both detailed circa 1963/64 descriptions of the park and an outline of his conclusions from his report as part of this history.

"Preparation of the Master Site Plan was authorized two years ago (1962) upon the recommendation of the Recreation and Civic Art Commissions. While the higher priority of other recreation needs has not made it feasible to budget funds for major improvements for this park within the next ten years, it was felt preparation of the Master Site Plan would enable the following: (1) a decision on repair of the fountain, (2) decisions on minor landscape improvements (such as "opening up" the park by removal of the shrubs on the periphery), and (3) the basis for solicitation of donations to make major park improvements." (47)

Halprin's proposed plan began by stating *"Charm is the predominant landscape characteristic of the Berkeley Civic Center Square today. It is a good characteristic and one that deserves to be preserved."* The report stated that *"the solemnity and seriousness of democratic community government, the jubilation and pageantry involved with public festivals and other cultural events taking place in the civic center complex, and a bit of the grandeur and pomp inevitably associated with formal aspects of government anywhere deserve expression within the Civic Center as a whole...from its earliest and most primitive beginning amongst neolithic cultures (the civic square or park) was the center of community activity, whether the activity was play, pageantry, religion, government or commerce. As time passed, structures arose around it to house one or more of these functions. So in a very real sense the Central Square or Park is and should remain the dominant element of a governmental center. As a key element in a civic center complex, the Square, then is an important place and means by which the expression of local civic character can be achieved."* (48)

- A drinking fountain on the southern edge of the park--presumably one of the fountains given by a civic organization--was removed in the 1950's because of repeated vandalism. (43)

- Several special light fixtures were removed at an unknown date. These were hanging fixtures on poles; some were located on the Martin Luther King Jr. edge, and at least four were located within the park, just outside the western edge of the pathway ringing the central lawn, and just outside the ring wall surrounding the fountain terrace. They were on extremely tall poles, and in some ways seem reminiscent of the "Necklace of Lights" poles around Lake Merritt in Oakland, although there were no connecting strands of lights and the color of the fixtures cannot be determined from extant photographs.

- In 1983 or 1984 the north restroom in the park was demolished by the City and the south restroom was altered to become a "gardening shed." (44). Other alterations at this time included new tot lot play equipment, resurfacing of some of the pathways and walks, and replacement of some benches.

- The date when parking was installed between the fountain terrace and the Farm Credit Building has not yet been identified. A 1952 photograph from the top of "old" City Hall shows a hedge and perhaps a fence along the line of the current fence, but also a wide pedestrian opening in the hedge facing the stairs on the west facade of the Farm Credit Building. At the edges of the park, narrow pathways, not driveways, appear to lead into the space between the hedge and building. (45). Some accounts say that driveways to the parking area originally ran along the sides of the Farm Credit Building to Milvia Street; instead of Allston and Center Streets.

In April, 1964, the Planning Commission heard a proposal "from the Farm Credit Building to provide additional off-street parking in the strips of park area between the Farm Credit Building and Center Street and Allston Way." (46). The use of the term "additional off-street parking" hints that the strip parking lot may have been in place by then.

"In 1947 a group of parents reminded the City administration that promises had been made during the bond election that the Civic Center development would include a playground. Historically, the parents could cite the fact that there had been a playground at the City Hall area since the early 1920's. This had been moved during the 1930's when the Hall of Justice was built on its site to the Civic Center block on property purchased by the City...the esplanade designed at the west end of the Civic Center plaza along Grove Street was not being used by the public as an esplanade or sitting place, but in terms of use represented a vacuum. It was decided to install a Tiny Tots area at the northerly end of the esplanade with shuttleboard courts being designed for future installation at the southerly end." (37)

- It is unclear exactly when the fountain broke down or was turned off for the last time. Recollections range from as early as the 1960's to as late as the drought of the mid-1970's, although most guesses focus on the mid-1960's. Most photographs that have been found to date show the fountain in its earliest years, or from such a distance that it is impossible to tell if it is still filled with water. Berkeley native Lee Trampleasure, born in 1960, recalls playing in the fountain as a young child. (38) Mr. Drucker guesses that the fountain was drained when the mechanical systems broke down or were finally shut down, but that the fountain basin also collected rainwater, which may contribute to the uncertain recollections of when the fountain finally ended up "empty". (39)

The fountain was still in operation in 1960. A City staff report suggests the possibility of removing hedges on the perimeter of the park "so that people in driving by may be able to see into the park more readily, and particularly to see the illuminated fountains:" (40) The report also notes "the illuminated fountain was used on special occasions for the first several years but in recent years it has been operated every day in the year." (41) Drucker concurs that in the early years the lighting and jets were generally turned on for special occasions such as holidays. In 1964 it was noted in a staff report that there needed to be "a decision on repair of the fountain." (42) Lawrence Halprin's report in 1964 describes repairs and alterations proposed for the fountain, but does not give any indication that it was irreparably broken at that time.

found to be excessive so these areas had been planted as flower beds with annuals and perennials used together for long seasonal periods of color, but not strictly speaking, as a perennial border." (33)

As late as 1960 shrub plantings--pyracanta and barberries--were mentioned around parts of the fountain and park perimeter. A City staff report noted that some Berkeley high school students "break shrubs and trample flowers much to the disgust of the park gardener". (34) Notations in City reports from 1964 discuss plans for removal of shrubs from the periphery. And, in his 1964 report Lawrence Halprin noted "In most cases the shrubs around most features of the square are necessary to protect interior play areas from wind, dust, and traffic disturbances along Grove Street. However, these same screens also in effect hide the interior of the Square from its surrounding buildings. In fact the Square is so shielded from its surroundings that the casual visitors to the area are frequently not aware that the area is a Civic Center Square..." (35)

In 1983 the City put aside some funding for various park improvements throughout Berkeley, and a newspaper article reported that as part of a \$127,000 project to repair and refurbish civic center park, "the south side of the park along Allston Way from Milvia Street to mid-park will be relandscaped with lawn to match the landscaping along the north side of the park on Center Street." (36)

- In the 1980's a concrete pad was placed on the south side of the park in the narrow lawn area between Allston Way and the 2180 Milvia building; this has been used as a podium for sculpture installations. The current sculpture is an abstract metal piece that has periodically been painted, apparently by students from Berkeley High School, with the numerals of class years.

- On May 18, 1948, the children's play area was opened on the western north end of the park. The shuffle board courts were added in 1950. These installations somewhat altered the esplanade space, originally conceived as an area with benches where elderly visitors could quietly sit and enjoy the sun, and a buffer between Grove Street and the park.

The extreme western third of the Square, that side facing the City Hall and Municipal Court, contains a children's play area together with shuffleboard and other facilities for the diversion of older people. These areas are screened on all four sides by high shrubs which also serve to visually separate the City Hall and Municipal Court from the interior of the Square. There is a current and clear need for these recreation facilities because the adjacent residential area lacks such facilities...

Between the children's play area and the fountain are open lawn areas. These are used for touch football and other field sports by older children. The walk and bench areas on the peripheries are enjoyed by adults for strolling and sitting, as is the flag paved plaza surrounding the fountain." (32)

Among the changes that can be identified are the following:

- Shrubs and plantings were removed from the edges of the park and replaced by lawn. It is unclear how much of this original planting was actually accomplished, or the exact date that lawn was substituted. A 1952 photograph of an event in the park shows the perimeter of the park not too different from what is seen today--open lawns, with scattered trees, with more hedges that exist today (although the far distant Milvia/Center corner has a hint of plantings more elaborate than lawns).

The development of lawns throughout the park (except in the hard-surface western esplanade, and under the groves of trees) supplanted the original concept of the park designers that plantings should screen the street from the central spaces of the park. Even beneath the trees, plantings that appear to have originally been shrubs have now been pruned upwards so far that they form attenuated mini-trees, leaving the ground around them bare, presumably for security reasons.

"The original planting design included perennial borders in the narrow park strips north and south of the Farm Credit building at the east end of the Park. The amount of labor necessary to maintain a perennial border properly was

position) refers directly to "the large fountain originally from the Golden Gate International Exposition." (31). However, further research and documentation is necessary to establish the facts of this matter.

Dedication

The new park was dedicated on Memorial Day, 1942, with patriotic pageantry appropriate to the nation at war. Crowds ringed the central lawn. Soldiers (apparently veterans) in World War I uniforms proceeded a young woman in flowing white dress and crown--presumably Lady Liberty or Victory--and an enormous "V" for Victory, borne by Boy Scouts, through the park. A youth orchestra performed on a temporary wooden stage, and speeches were given. Photographs of the event show a resolutely small-town character to the proceedings, with young children scurrying around on the lawn to get the best view of the parade, people of all ages, and knots of spectators gossiping on the margins of the crowd as the festivities proceed.

Later Development

In subsequent years, a variety of modifications were made to the park. However, most of the basic character of the park remains substantially unchanged from its origins. Comparison of early photographs with the present park conditions show the same basic layout and most of the original features, although the trees have grown to maturity.

It is useful to include this 1964 description by landscape architect Lawrence Halprin, to reflect the character of the park two decades into its current period of development. "The Square itself consists of a large interior space more or less surrounded by shrubs, trees and other woody vegetation. Within the east end of the interior is the large fountain originally from the Golden Gate International Exposition. This is surrounded by a plaza paved with buff colored flagstone which in turn is bounded on the west by a wall, on the east by the city Christmas tree and on the north and south by a screen of cypress and poplar together with various shrubs.

The rapid dismantling of the Exposition (demolition was being planned even as the Council voted) and the approaching threat of World War must have lent a special nostalgia and appeal to the fresh memories of the Fair and encouraged thoughts of preserving portions of it in tangible, permanent form, like a lighted fountain in central Berkeley.

In addition to amusements, performances, educational exhibits (and the allure of pavilions from distant countries, especially those of the western Pacific rim) the Treasure Island Exposition provided on its entirely flat grounds pleasant outdoor spaces where visitors could simply stroll, sit, people-watch, picnic, and enjoy themselves. It would not be surprising if memories of those "enchanted courts" encouraged many Berkeley residents and civic leaders not only to vote for the bonds but to approve a design of restraint and simple elegance. If so, the large portions of the original design that remain in civic center park are a direct legacy and reminder of the Fair.

The fountain in civic center park is, in fact, stylistically similar to fountains at Treasure Island, although it is not identical. The arrangement of simple circular basins, descending cascades topped by central jets of water, and illumination with colored lights are all closely reminiscent of the water features of the Fair. The Berkeley fountain did not reproduce the large sculptures that ornamented some of the Fair's fountains; at Treasure Island, these were placed on pedestals that bulbed out from the circular walls of the fountain cascades.

There are reports that the plumbing and mechanical equipment used in the Berkeley fountain was taken from one of the dismantled Treasure Island fountains. Although definitive documentation has not been found, this story has some plausibility since the Fair displays were being dismantled when the Berkeley park was being planned and constructed, and perhaps the Berkeley designers and City staff, faced with a fixed budget, looked about for ways to reduce the direct costs to the City. Interestingly, Lawrence Halprin's Master Plan for the park, finished in 1964 (a time when recollections and records of the park planning and the Exposition would have been more extensive and clear than they are today, more than half a century after the Ex-

a simplified facade with classical themes, such as columns, that also recalled some of the tenants of Beaux Arts design. James Placheck's Farm Credit Building, which so heavily dominated the background of the park space from its eastern end, was also executed in a simple "Modern Classic" style with Deco and "Zigzag Moderne" influences. The park layout itself expresses an Art Deco or streamline Moderne character with straightforward curved and linear pathways, a fountain that drew strength from its simple design and function, instead of extra ornamentation added to the basic structure. Elaborate decorative elements (bronze or marble statues, stone balustrades, nymphs spouting water) that might have appeared if the park had been constructed a quarter century earlier are absent from this composition.

In one respect it can be argued that the clean Deco-style character of the fountain has contributed to its obscurity in more recent decades. The fountain was meant to be alive with the fluidity of water and light, rather than express itself through elaborate decoration. Empty of water and filled with trash, it appears so much less than it could be precisely because of its simple style--it cannot fall back on luxury materials or lavish decorations which were inconsistent with the modern design trends it was designed to express.

(3) The Impact of Treasure Island

A third influence on the design of the space was the Golden Gate International Exposition, in progress on Treasure Island in San Francisco Bay during the time when Berkeley's citizens were voting on and designing civic center park. The Exposition, which was open during 1939 and 1940, provided a fantasy city of fantastic design and attractions glowing in the center of the Bay and clearly visible from Berkeley. Berkeley's residents were among those who flocked to the Exposition; there were Berkeley and University of California Days at the Fair. When Berkeley's City Council voted on November 18, 1940, to approve the Committee's design for the civic center park, one newspaper account noted that the Council had placed *"its stamp of approval upon the practical fairyland proposed for the square, comparable in charm and artistic beauty to some of the most enchanting courts of the Treasure Island remembered by thousands of Berkeley residents."* (30)

large type, "Let's acquire this civic center plaza now. It has been a civic challenge for 31 years"--in other words, since the completion of the Bakewell & Brown design for "old" City Hall had established a new civic tone for Downtown Berkeley and given tangible expression to the City Beautiful ideals.

(2) Art Deco/Moderne Influences

A second tradition to influence the park's character was the Art Deco or Moderne movement in design and architecture through the 1920's and 30's. Earlier civic and public centers had elaborately ornamented buildings and heroic decorative fountains, sculpture, and arrangements of paths and plantings, but by the time the five member committee was considering Berkeley's Civic Center Plan there was considerably more emphasis on an approach more consistent with Art Deco or Moderne styles.

According to Michael Crowe--a noted Bay Area expert on the Art Deco period, writer, historian, and former San Francisco Landmarks Commissioner--the park and the fountain have what he describes as a "streamline Deco" character, representative of 1930's trends in design. The organization, spatial character, relationship to surrounding buildings, and fixtures of the park all constitute a harmoniously designed arrangement in this style. The fountain is a rare surviving example of its type. Unfortunately, because of the character of fountains in this style, it has not been uncommon for other examples to be demolished once they have broken down or design trends change, because people erroneously conclude the fountains must not have been important because their designs are so simple.

The committee chair, Henry Gutterson, had already expressed a Deco or Moderne motif through his design for the Berkeley High School academic buildings fronting the planned park--clean, simple buildings of white concrete decorated only with an inscription and a bold, flowing sculptural relief--and would follow the same approach with the design of the adjacent Community Theatre building, in concert with William Corlett. The Veteran's Building, north of the park, embodied a "stripped Classical" style of

The idea that beautiful public spaces would educate and reinforce a good citizenry was also eloquently stated by University Architect John Galen Howard in the following description of his planning and architectural goals for the Berkeley campus. Substitute "City" for "University" and "citizen" for "student", and this could also stand as a description of the same type of civic goals that were articulated by Professor Gregg, cherished by many influential citizens early in this century, and productively expressed in efforts to create impressive public spaces and other public-spirited endeavors.

"But above and beyond any of the considerations which have been enumerated, is the principle that it is owned to the people to establish on these grounds a standard of artistic excellence...The University fulfills only a part of its mission when it teaches the theory of beauty without its practice. Its duty is to inspire, to cultivate, to edify. And to do that completely it must have fine buildings. By fine is not meant elaborate or even costly, but buildings whose lines are so pure and whose aspect so beautiful that the student coming into their presence is uplifted and his ideas enlarged and purified...the University shall take on incomparable beauties and stand as an exponent of all that is best in life." (29)

Joined with neo-classical or Beaux Arts design as an architectural style, the City Beautiful movement led to the creation of memorable spaces such as San Francisco's historic Civic Center (arranged, like Berkeley's, around a formal public plaza/park) and the ensemble of granite academic buildings designed by John Galen Howard on the campus of the University of California.

Berkeley's Civic Center with its central park and surrounding civic buildings is a younger and more modestly scaled, yet still notable, cousin of these elaborate complexes and edifices. The men and women who designed it had been educated in the same design traditions that produced landmark neoclassical buildings such as Berkeley's "old" City Hall and Post Office, and the design of the park space was probably seen, in part, as a continuation and completion of those traditions.

In fact, one piece of election literature supporting the bond measure stated in

Design Character And Significance

The design character and style of the Civic Center combine and reflect at least three influences.

(1) The City Beautiful

First among these influences was the City Beautiful movement (originating with the 1893 Columbian Exposition in Chicago, and advocated in the Bay Area by, among others, Exposition architect Daniel Burnham who prepared an extensive plan for San Francisco streets, parks, and public spaces just prior to the 1906 Earthquake and Fire.) The City Beautiful concept advocated an imperative to improve American cities and urban life in part by planning stately public buildings and gracious parks and plazas linked by wide boulevards. The attractive public spaces would uplift the spirit, inspire civic pride and good citizenship, and ornament democratic government and society. The parks in particular would be decorative and useful for individual recreation and enjoyment and organized events and civic activities.

In Berkeley, as early as 1918, Professor Gregg (then the President of the Park Commission) was articulating this view to the Berkeley City Council. *"Leading writers and other authorities of modern municipal development are united in the opinion that no town or city can be considered properly equipped without adequate parking (sic) facilities. All agree that parks not only add to the beauty of a community and to the pleasure of living in it, but are exceedingly important factors in developing the health, morality, intelligence and business prosperperity of its citizens. Indeed it is not too much to say that a liberal provision of such features is one of the surest manifestations of the intelligence and progressiveness of a community. It is therefore constantly becoming more generally and clearly realized that every residents of a town or city owes to it, in return for benefits and advantages derived from it, certain duties not specifically compulsory according to law, and that among such duties, too often neglected, is that of aiding in every possible way to make the place more beautiful and more agreeable to live and work in, as well as making it more attractive to strangers."* (28).

Second, a number of park features were donated. *"We are glad to note that many civic groups and organizations are taking considerable interest in the civic center and actually participating in its development. They have donated funds for the flagpole, drinking fountains, north and south wall fountain, concrete benches and for some of the large trees."* (22)

The donation of the flagpole at the west end of the park was among the first contributions. Standing 70 feet tall, it was "erected by the United Veterans Council". (23). (Perhaps the early erection of the flagpole may have something to do with its asymmetrical placement slightly south of the east/west axis created by old City Hall, 2180 Milvia, and the fountain and Christmas tree terrace.) In addition to the donation of the flagpole as a patriotic memorial, Memorial Day, 1942 was chosen as the official dedication day for the fountain ""because of the significance to this deeply patriotic community". (24)

Other original features of the park included two "fluted, cast concrete restrooms" northeast and southeast of the fountain terrace (25), and "100 wooden benches for...gatherings and...60 concrete benches to be placed permanently where they may be used to advantage." (26). The 100 wooden benches were for temporary installations, accompanying civic events and "outdoor performances" centered on the Christmas tree and fountain terrace. (27).

A number of the original concrete and wood benches appear to survive in the park; at least the benches visible in the opening day photographs and some of the current benches are essentially identical in appearance, with cast concrete "L" shaped ends perforated with holes through which the wooden slats of seat and back are inserted.

Those who remember the fountain in operation believe that the primary lights were red, green, and blue. Lights that appeared silver and gold might also have been included, although the recollections are less certain on that point. The lights were coordinated with the water jets, so the movement of the water and the lights would change color at the same time. It is believed that the lights were located in the lower, outer pool, shining upwards at the higher central rings and jets. The fountain also had a mechanical device or controller that tracked wind speed. "When the wind was blowing, the power was decreased so the jets were lowered" to prevent water from the jets from blowing out of the fountain, according to Rick Drucker, who remembers the fountain from the 1940's and 1950's. (19)

The fountain terrace was surrounded by a concrete wall with a wide opening to the east (the Christmas Tree terrace), and smaller entrances symmetrically placed on the remainder of the perimeter. On the outer side of the wall where it ran parallel to Center Street and Allston Way, two smaller fountains were installed, each consisting of a semi-circular bowl attached to the wall from which water was apparently intended to flow into a larger basin near ground level. "Because the W.P.A. project folded at the beginning of the war in 1942, these wall fountains were never put into operation." (20) On the inner side of the wall there was a bench. "There were seats around the outside wall, you could sit and watch the fountains", Drucker recalls, noting how cold it was to sit and watch on some winter holidays when the lights and jets were on. (21)

Construction took place in 1941 and early 1942. Work was delayed by at least three months of heavy rain. While the City used the \$25,000 residual from bond funds to pay for much of the landscaping work in the Park, there were two other sources of park support. First, work crews of the Works Progress Administration (W.P.A.) were engaged in the construction and site preparation work; this was one of the later W.P.A. projects in Berkeley, where crews had also constructed the Berkeley Rose Garden, done extensive planting and work in Strawberry Canyon, and created a number of artistic works, among other projects.

These areas apparently included "herbaceous borders or perennial flower gardens extending from the Milvia Street entrance for a distance of 190 feet parallel to Allston Way and Center Street and 10 feet wide. Here will be found every desirable perennial and annual flower plant to produce an unforgettable display of many colors throughout the year. An attempt will be made to keep color in the beds every month of the year by planting for properr succession of bloom. Special attention will be given to the background of the borders, plant arrangement according to height and season of bloom, the edging strips, and problems of shade." (15). (Old photographs of "old" City Hall also show flower beds edged with boxwood, and stately trees ornamenting what is now entirely lawn in front of that building).

"At the west end of the Plaza along the Grove Street frontage, the Committee felt that a 40 foot wide esplanade surrounded by hedges and trees would provide a buffer strip for people within the park from the traffic noise of busy Grove Street, and a place for older people to sit..." (16). The "Grove Street esplanade" was "paved in asphaltic concrete and brick" and "five electroliers (light fixtures) have been erected...where all electric and telephone poles have been removed to give a better appearance to the Civic Center." (17).

The "electric fountain" was a centerpiece for the park (and its inclusion also recalled other monumental--but more lavishy ornamented--fountains that had been proposed in the earlier, unbuilt designs and plans for a civic center). Details of the fountain were described to the Berkeley Gazette by Berkeley's parks director, Charles Creswell. "The fountain itself, 50 feet in diameter, will be of impressive appearance, having a large reflecting pool and two cascades of lesser diameters. Water will be thrown in to the air by a pump through a ring of jets to a height of 11 feet, forming two perfectly proportioned domes of water, one above the other. In addition, a central jet can be used to force a column of water 20 feet into the air above the domes. The water cascades over the various rims and is collected and re-circulated through the fountain. At night the pools and fountain are to be illuminated with carefully designed colored lights which should produce a very beautiful effect." (18) The low outer pool was described not only as a "reflecting pool" but a "mirror pool" having water approximately one foot deep.

the Department of Landscape Architecture at the University, and was actively involved in the landscaping of the University campus; he was also a long-standing member of Berkeley's Parks Commission who (as noted elsewhere in this history) had vigorously advocated for a park. Professor Baldwin M. Woods from the College of Engineering was the third committee member. Further research may uncover whether his appointment was due to civic involvement or professional expertise (or possibly a combination of both). The fourth and fifth members were architects, Bernard Maybeck and Julia Morgan, both distinguished and widely known. E. M. Haug, the Secretary of the Planning Commission, was also associated with the Committee.

The Committee prepared a detailed design plan for the Park. It included the following features, among others, according to a 1960 summary prepared by City staff: *"a large open circular lawn area toward the westerly end of the park...the ornamental electric fountain...located within a flag stone terrace at the east central portion of the park...a smaller terrace to the east of the fountain terrace and slightly higher (to provide) the setting for the Civic Christmas Tree. Sequoia gigantea was used. The Civic Christmas tree is bordered north and south by magnificent groupings of redwoods, deodars and English holly trees. The latter groupings are a strong element at the east end of the main plaza which were felt desirable in terms of design and mass next to the mass of the Farm Credit Building."* (12).

The Committee also specified three other features including wide walkways set 25 feet inside the park and running parallel to Allston and Center Streets "so that people walking along either side of the Plaza would be induced to walk within the park rather than along the curb just at the outside edge of the Park area." (13). To further encourage use of the interior paths, the perimeter curbside sidewalks were originally made only three feet wide (they were later widened to permit the installation of parking meters).

The 25 feet of open ground between the curb and interior path was to be planted with "medium to tall shrubs...with the thought that this would prove to be a buffer between the people in the park and the traffic on the streets."(14)

ding prominent African-American Walter Gordon, the Maybecks, and "Mother" Tusch, the well-known friend of pilots and operator of a popular boarding house that was a virtual museum of early aviation history on Union Street near the University campus.

Quotes from these and other individuals encouraged, warned, and inspired. "Let us not lose this chance." "Berkeley will not have another opportunity like this in the future." (1) "heartily endorse this civic project". "Essential for civic unity". "This last opportunity to place our government buildings in beautiful surroundings must not be lost." "Berkeley is beautiful. Let's show it." "Let's create Berkeley's civic center while the opportunity is still here."

Concerned that a bond election might fail, some members of the City Council initially advocated construction of a much more modest project--an ice-rink--on a portion of the land. However the bond won a majority in 226 of 242 election precincts, drawing support from throughout the community.

Following the election "planning and development of the (civic) center moved at a rapid pace." (7). A contest had been suggested by the Berkeley League of Women Voters; essays were sought "for ideas to be used in landscaping and developing the square..." (8). It was recognized, however, that "while such a contest may assist in the determination of the purposes of the center in the life of the community...the actual drafting or selection of the final design to realize these objectives requires professional and technical skills." (9). A committee "qualified by training and experience to be responsible for the creation of choice of design" was recommended. (10)

The day after the election, the City Council "asked the Planning Commission to appoint a committee of five professional people to consider suggestions and drawings." (11). All of those selected volunteered their services.

The Committee was chaired by architect Henry Gutterson whose firm of Corlett and Gutterson had designed the Berkeley High School buildings facing the future park. Gutterson was a noted commercial and residential architect in Berkeley and a member of the Planning Commission. Professor John Gregg was the second Committee member. Gregg was the founding chair of

City acquire the Civic Center Land." The City apparently did acquire some land at the eastern end of the block, where the 2180 Miliva building now stands, but the rest of the block remained in private hands. One short reference implies that there was a public children's playground established by the City on the block some time in the 30's (after relocation from a site on McKinley Street, behind old City Hall), but the location of this is unclear.

In 1937, the Federal Farm Credit Administration planned a regional headquarters building in Berkeley. The City agreed to sell its land at the eastern end of the block for this building, and used the sale income to purchase new or additional options on the private parcels on the rest of the block. Relatively short timelines to exercise these options led to a May 7, 1940 bond election in which voters were asked to appropriate \$125,000, of which four fifths would go to purchase of the land, and one fifth to landscaping of the site. The bonds were to be paid off over five years. The bond issue was placed on the ballot by a unanimous vote of the City Council. Campaign literature for the bond election showed a photograph of the miscellaneous buildings and vacant lots on the land and read, in part, "Believe It or Not! This is the front yard of our City Hall--Veterans Memorial--Farm Credit Building--Berkeley High School." (5).

Arguments in favor of the bonds were as follows: "Civic Center land will be developed as a Plaza with lawns, trees and open space. No definite plan has been approved as yet. The City Planning Commission is sponsoring a competition to secure the best plan which fits in with the Plaza idea. No large buildings will be constructed on this land. The only structures which have been considered to date are a concert stand and a fountain." (6).

A long list of prominent citizens endorsed the bond measure, reflecting the pillars of the civic establishment of mid-century: these endorsers included the political and official (Mayor Frank Gaines, Thomas Caldecott, Police Chief August Vollmer); business/commercial (department store owner Lester Hink, developer Duncan McDuffie), University (Controller James Corley, Provost Monroe Deutsch), religious (Rev. Laurence Cross, Father T.J. Brennan), and several others representative of community leadership, inclu-